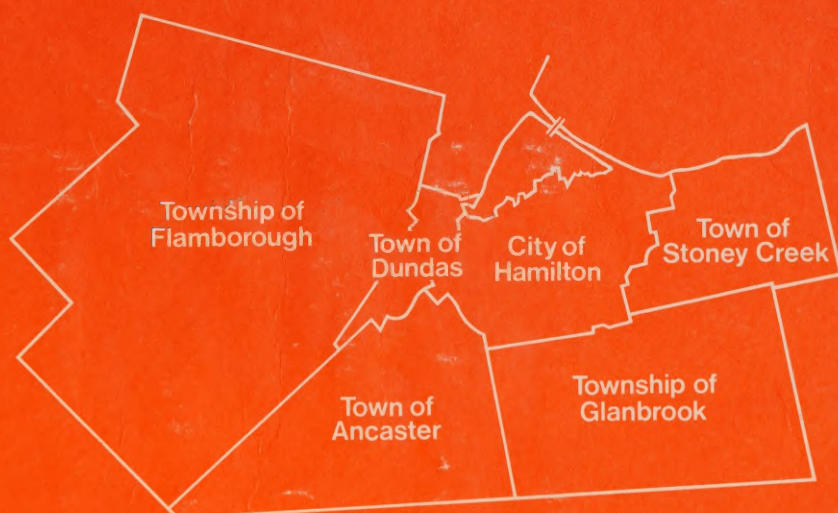


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V. II

The Regional Municipality of Hamilton - Wentworth

Report on Uniform Policies
and By-Laws Related to
Water and Sewage
Facilities and the
Establishment of Rates
and Charges for these
Facilities



Volume 2. Sewage



Proctor & Redfern Limited
Consulting Engineers
Hamilton

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JAN. 1975

HAMILTON-WENTWORTH
UNIFORM POLICIES &
BY-LAWS WATER &
SEWAGE

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

REPORT ON
UNIFORM POLICIES AND BY-LAWS
RELATED TO
WATER AND SEWAGE FACILITIES
AND THE ESTABLISHMENT OF
RATES AND CHARGES FOR THESE FACILITIES

VOLUME II - SEWAGE

REPORT

JANUARY 1975

PROCTOR & REDFERN LIMITED
Consulting Engineers
20 Hughson Street South
Hamilton, Ontario

and

75 Eglinton Avenue East
Toronto, Ontario

7 January 1975

Project E.O. 74145

Mr. W.A. Wheten, P.Eng.
Commissioner of Engineering
Regional Municipality of Hamilton-Wentworth
PO Box 1058
Hamilton, Ontario
L8N 3R4

Dear Sir

Report on Uniform Policies and Bylaws
Related to Water and Sewage Facilities
and the Establishment of Rates and
Charges for these Facilities

We are pleased to submit herewith the second volume of the above Report dealing with sewerage facilities and sewer rates. The first volume of this Report dealing with water facilities and water rates has already been submitted and approved.

The Report has been prepared using the best available forecasts of capital expenditures on sanitary sewerage over the next 5 years. Those forecasts should be compared with the official 5 year capital budgets when these are available. If there is significant difference between the level of spending contemplated in this report and that which is decided upon by the Region, the suggested sewerage surcharge should be reviewed, and if necessary, revised.

After careful consideration of alternate systems of charging for sewerage service, we have recommended that a uniform Regional charge be set up to be imposed as a percentage surcharge on all Regional water bills. This surcharge would replace all existing sewage charges and rates with the exception of frontage and connection charges which are presently being paid under the Local Improvements Act, Section 362 of the Municipal Act, and under Provincial financed schemes. We further recommend that future local works, also continue to be financed under the provisions of the Local Improvement Act, or Section 362 of the Municipal Act.

The recommended system is in harmony with "the user pays" philosophy inherent in the recommendations of Volume 1 of this Report. With the exception of frontage and connection charges, households in all parts of the Region using similar amounts of water will pay similar charges for sanitary sewerage service.

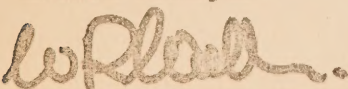
We thank you for the opportunity to prepare this Report and would be pleased to review it with you in detail at your convenience.

Yours very truly

The Proctor & Redfern Group



R. Tait, P.Eng.
Branch Manager



W.R. Walker, P.Eng.

RT/WRW/kjj

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

REPORT ON
UNIFORM POLICIES AND BY-LAWS
RELATED TO
WATER AND SEWAGE FACILITIES
AND THE ESTABLISHMENT OF
RATES AND CHARGES FOR THESE FACILITIES

VOLUME 2 - SEWAGE

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ACKNOWLEDGEMENTS

The helpful assistance of the staff of the Regional Municipality of Hamilton-Wentworth, and the area municipalities of Hamilton, Dundas, Ancaster, Stoney Creek and Flamborough is acknowledged with thanks. Without the willing cooperation and generous giving of time from these people, this report could not have been produced.

We would also like to acknowledge the assistance received from Yates & Yates, Barristers & Solicitors in the preparation of the By-laws.

ABBREVIATIONS

MIG	-	MILLION IMPERIAL GALLONS
MIGD	-	MILLION IMPERIAL GALLONS PER DAY
gpcd	-	IMPERIAL GALLONS PER CAPITA PER DAY

SYNOPSIS

1. It is recommended that the Regional Corporation determine the method to be used to charge persons making use of Regional Sanitary Sewerage Systems and that the Regional Corporation set such charges.
2. It is recommended that the Regional Corporation impose a uniform surcharge of 90% on all gross Regional water bills to persons using the Regional Sanitary Sewerage Systems. This surcharge is to be made up of a sanitary sewer rate and a sanitary sewage service rate as follows:

Sanitary Sewer Rate	55%
Sanitary Sewage Service Rate	35%
Total Surcharge	90%

It is estimated that this surcharge will provide adequate revenue to meet all costs arising from the operation, maintenance, repair, capital cost and debt charges for Regional Sanitary Sewer Systems for the period 1975 - 1979.

3. It is recommended that frontage and connection charges outstanding under the Local Improvement Act, Section 362 of the Municipal Act and Provincially financed schemes continue in effect and that new local sewers continue to be installed in developed areas on the basis of the Local Improvement Act or Section 362 of the Municipal Act. It is further recommended that existing policies set down by the Region respecting payment by developers for new sewers in subdivisions continue to be enforced.
4. Two proposed sewer bylaws are presented, as follows:
 - (a) a regulatory bylaw governing sanitary sewer use
and
 - (b) a bylaw to provide for imposing and collecting a sewer surcharge on water bills. A commentary on the main features of these bylaws is given in the text.

CHAPTER 1

INTRODUCTION

1.1 GENERAL

The Regional Municipality of Hamilton-Wentworth was formed on the 1st of January, 1974, and is composed of the City of Hamilton, the Towns of Ancaster, Dundas and Stoney Creek and the Townships of Glanbrook and Flamborough. The Region is located in an area of industrial importance to Southern Ontario and has been a focal point of industrial economic and residential growth during the last decade. All indicators point to this area continuing in its role of importance in this respect.

The City of Hamilton, the Towns of Ancaster, Dundas and Stoney Creek and the Township of Flamborough had made substantial investments in the provision of water supply and sewage collection and disposal facilities prior to the formation of the Regional Government. Each of the municipalities had levied charges and rate structures for the provision of these services in order to meet their requirements for debt charges and operation and maintenance costs.

The cost of constructing and operating these systems varied between the various municipalities forming the Region. In addition, there were a great number of alternatives open to a municipality in the setting of a rate structure to recover these costs from the users. Consequently, the manner of billing users for water and sewer services, and the payments made by households and industries, vary widely among the area municipalities. Sewer and water use by-laws which form the effective tool of local government to regulate the proper use of these facilities are also not of a uniform nature, and do not exist in some municipalities.

Water and sewerage services are two of the responsibilities which have been assigned to the Regional Government. The purpose of

this report is to recommend suitable uniform by-laws and rate structures for consideration by the Region. This volume (Vol. II) deals with sewage. Volume I is a companion report dealing with water supply and has already been submitted and approved by Regional Council.

The report has been prepared in accordance with the latest revisions to the Hamilton-Wentworth Act as passed in Provincial Legislature in December 1974.

1.2 TERMS OF REFERENCE

The Terms of Reference governing the preparation of this report are contained in Appendix I. This report is essentially a short-term study, covering the period until 1979. It is significant to note that it is expected that the Provincial Property Re-assessment will be complete in the Region within the next two years. The adoption of this new assessment base will have ramifications in many areas of municipal finance. Of particular importance to this study is the effects on sewer revenues raised as a surcharge on water bills, some of which are, in turn, levied on an assessment base.

1.3 POPULATION PROJECTIONS

In order to examine the financial implications of any proposed rate structures for sewage service, it is necessary to make a projection of the population which will be served by these facilities over the period of study.

In setting the population projections for the period 1975 to 1979, the advice of the Hamilton-Wentworth Regional Planning Department was sought and reference was made to data in the report "Hamilton-Wentworth Waste Management Study"¹ whose population projections over a much longer period time had been

1 "Hamilton-Wentworth Waste Management Study"
Proctor & Redfern Interim Report No. 1

made after detailed analysis of Government of Ontario statistics. The figures obtained were then examined in light of known development plans and particular preferences and expressed aims of the area municipalities.

The projected populations which will be served by sanitary sewerage systems are shown in Figure 1.1.

FIGURE 1.1

PROJECTED POPULATIONS SERVED BY
MUNICIPAL SANITARY SEWERAGE SYSTEMS

Municipality	1974	1975	1976	1977	1978	1979
Hamilton	247,500	252,000	256,900	261,800	266,600	271,400
Dundas	14,100	14,100	14,100	14,600	15,100	15,600
Ancaster	8,300	8,600	8,900	9,200	9,500	9,800
Stoney Creek	8,900	10,100	11,300	12,500	13,700	14,900
Flamborough	3,100	4,700	4,700	4,700	4,700	4,700
TOTAL	281,900	289,500	295,900	302,800	309,600	316,400

The above population figures have been based on an estimate of the populations of the sewer serviced areas as a proportion of the population of the water service areas (see Vol. I, Water).

CHAPTER II

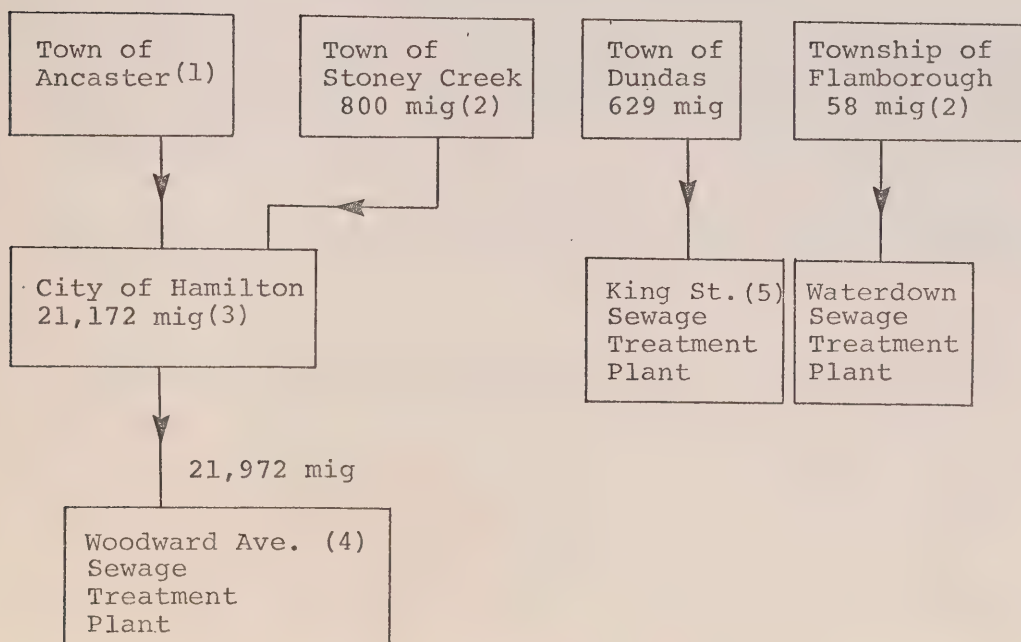
PROPOSALS

2.1 GENERAL

There are five existing municipal sewerage systems within the Region of Hamilton-Wentworth. These are located in the City of Hamilton, the Town of Ancaster, the Town of Dundas, the Town of Stoney Creek and the Township of Flamborough. Figure 2.1 shows the interrelationship of these five systems, the treatment plants and their annual sewage flows for the year of 1973.

FIGURE 2.1

EXISTING SEWERAGE SYSTEMS



Flows shown are annual figures for 1973.

- (1) Sewerage System in Town of Ancaster presently under construction. Initial flows to Hamilton system projected for 1976.
- (2) Estimate
- (3) Includes some storm runoff from combined sewers.
- (4) Formerly known as City of Hamilton Sewage Treatment Plant.
- (5) Formerly known as Town of Dundas Sewage Treatment Plant.

The maps in Appendix 2 show the extent of the areas presently serviced by municipal sewerage systems.

2.2 EXISTING BY-LAWS, RATES & CHARGES

By-laws regulating the construction and use of sewers and drains presently exist for the City of Hamilton, the Town of Dundas, the Township of Ancaster (now the Town of Ancaster), the Town of Stoney Creek, the Township of Saltfleet (now part of the Town of Stoney Creek), the Township of Glanford, and the Township of Binbrook (now part of the Township of Glanbrook).

Some of these existing by-laws, e.g., Townships of Glanford and Binbrook, are oriented to sewage disposal in a rural environment

where individual facilities are constructed for each house, as opposed to the urban areas with piped sewerage systems which are the subject of this report.

The full texts of all existing by-laws are given in Appendix No. 3.

In computing revenue requirements, it has been assumed that all levies against land owners under the Local Improvements Act and Section 362 of the Municipal Act including charges for Provincially financed schemes, insofar as they relate to frontage and connection charges will continue to be enforced.

The rates and charges to users of sewerage facilities vary between the area municipalities. Basically, two main forms of rate are in use

- a surcharge on the water bill
- a charge on an assessment base, collected as part of the general tax levy (i.e., a millrate charge)

(1) The sewerage system in the Town of Ancaster is presently under construction. The project is being financed and supervised by the Ontario Ministry of the Environment.

In addition to these general rates for sewerage services, many property owners in the Region have made, or are making payment, for local works under the provisions of the Local Improvement Act, Section 362 of the Municipal Act, and under Provincially financed schemes.

In order to better understand the extent of actual total costs for sewerage service and for purposes of comparison between costs in each area municipality, it is useful to consider the total estimated costs of sewerage service for the year of 1974 expressed as a mil rate on the equalised assessment, for each area municipality. The actual cost accruing to a property nominally assessed at \$18,000* may then be computed, thus giving a reasonably valid comparison of actual existing costs. Data as described above is given in Fig. 2.2. As no charges were made in Ancaster for sewerage service in 1974 we have projected the 1975 costs and used this figure for comparison purposes. The relatively high per household figure for Ancaster is due, in part, to the assumption that debt charges will be paid on all capital works, less the Provincial Government subsidy. In reality, this debt service may be reduced as property owners elect to pay a lump sum for connection and frontage charges. In the initial years of operation, the outstanding debt on the system may be reduced substantially in this manner. If, for example, outstanding debt was reduced by 20%, the average annual cost to a property assessed at \$18,000 would be reduced to \$96.

* The nominal assessment of \$18,000 was derived by applying the Provincial Equalization Factor for Hamilton to that City's average residential assessment of \$5,000.

(Equalizing factor for Hamilton = 27.5%

Equalized assessment on \$5000 = $\frac{5000}{0.275} = \$18,181$)

FIGURE 2.2

ESTIMATED 1974 SEWERAGE COSTS ON EQUALIZED ASSESSMENT BASE

Area Municipality	Existing 1974 Sewerage Costs millions of dollars	Equalized Assessment ** in Sewered Area millions of dollars	Sewerage Cost Equivalent Mill Rate	Annual Cost to property assessed at ***\$18,000
Ancaster	0.52 *	78.09	6.66	\$119.88
Hamilton	5.97	2685.77	2.22	\$39.96
Dundas	0.21	144.40	1.45	\$26.10
Stoney Creek	0.35	208.81	1.68	\$30.24
Flamborough	0.08	19.76	4.05	\$72.90

* Projected 1975 costs used for comparison purposes.

** From estimates received from Regional Assessment Commissioner.

*** Equalized Assessment

2.3 REVENUE REQUIREMENTS

The revenues required to meet all operation and maintenance, capital and debt charges for all sanitary sewerage systems within the Region have been projected for the years 1975 through 1979 and are presented in Figures 2.3 to 2.7. A summary of projected revenue requirements is given in Figure 2.8. Operation and maintenance costs have been based on present day unit costs escalated at the rate of 10% per annum and applied to the projected sewage flows for the study period.

Debt charges on proposed works have been based on estimates of the five-year capital works program obtained from the Regional Engineering Department, which are given in Figure 2.9.

Modest expenditures are projected for provision of sewerage service in Glanbrook late in the study period. Debt charges arising from these works would be very small in relation to total costs within the Region and would not come into effect in 1978. On account of this, these figures have been omitted from the financial projections.

FIGURE 2.3

PROJECTED REVENUE REQUIREMENTS - 1975

ALL COSTS - MILLIONS OF DOLLARS

	COLLECTION				TREATMENT				TOTAL		
	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service	Total
Hamilton	0.47	2.24	0.13	2.84	1.61	1.65	0.41	3.67	2.08	4.43	6.51
Dundas	0.06	0.01	0.01	0.08	0.10	0.04	-	0.14	0.16	0.06	0.22
Ancaster	-	0.52	-	0.52	-	-	-	-	-	0.52	0.52
Stoney Creek	0.06	0.12	0.01	0.19	0.08	0.09	0.02	0.19	0.14	0.24	0.38
Flamborough	0.01	0.02	-	0.03	0.04	0.01	-	0.05	0.05	0.03	0.08
Total	0.60	2.91	0.15	3.66	1.83	1.79	0.43	4.05	2.43	5.28	7.71

- Notes:
1. Treatment costs (operation, maintenance and debt service) for Ancaster, Stoney Creek and Hamilton derived by splitting total Hamilton plant costs on basis of projected flows.
 2. Ancaster system assumed to commence flow to Hamilton plant on Jan. 1/76. Debt service on Ancaster collection system assumed to commence Jan. 1/75.
 3. All Debt Service charges on proposed works based on 9%, 20 yr. levelled loans.

PROJECTED REVENUE REQUIREMENTS - 1976

ALL COSTS - MILLIONS OF DOLLARS

	COLLECTION				TREATMENT				TOTAL		
	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service	Total
Hamilton	0.55	2.04	0.28	2.87	1.78	1.64	0.44	3.86	2.33	4.40	6.73
Dundas	0.07	0.01	0.05	0.13	0.11	0.04	0.44	0.59	0.18	0.54	0.72
Ancaster	0.01	0.52	-	0.53	0.02	0.03	-	0.05	0.03	0.55	0.58
Stoney Creek	0.07	0.11	0.11	0.29	0.09	0.07	0.02	0.18	0.16	0.31	0.47
Flamborough	0.01	0.02	0.01	0.04	0.05	0.01	-	0.06	0.06	0.04	0.10
Total	0.71	2.70	0.45	3.86	2.05	1.79	0.90	4.74	2.76	5.84	8.60

- Notes: 1. Treatment costs (operation, maintenance and debt service) for Ancaster, Stoney Creek and Hamilton derived by splitting total Hamilton plant costs on basis of projected flows.
2. Ancaster system assumed to commence flow to Hamilton plant on Jan. 1, 1976. Debt service on Ancaster collection system assumed to commence Jan. 1, 1975.
3. All Debt Service charges on proposed works based on 9%, 20 yr. levelled loans.

FIGURE 2.5

PROJECTED REVENUE REQUIREMENTS - 1977

ALL COSTS - MILLIONS OF DOLLARS

	COLLECTION				TREATMENT				TOTAL		
	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service	Total
Hamilton	0.60	1.80	0.38	2.78	2.02	1.64	0.54	4.20	2.62	4.36	6.98
Dundas	0.08	0.01	0.07	0.16	0.12	0.04	0.55	0.71	0.20	0.67	0.87
Ancaster	0.01	0.52	0.02	0.55	0.02	0.03	-	0.05	0.03	0.57	0.60
Stoney Creek	0.09	0.11	0.16	0.36	0.11	0.07	0.03	0.21	0.20	0.37	0.57
Flamborough	0.01	0.02	0.01	0.04	0.06	0.01	-	0.07	0.07	0.04	0.11
Total	0.79	2.46	0.64	3.89	2.33	1.79	1.12	5.24	3.12	6.01	9.13

- Notes:
1. Treatment costs (operation, maintenance and debt service) for Ancaster, Stoney Creek and Hamilton derived by splitting total Hamilton plant costs on basis of projected flows.
 2. Ancaster System assumed to commence flow to Hamilton plant on Jan. 1, 1976. Debt Service on Ancaster collection system assumed to commence Jan. 1, 1975.
 3. All Debt Service charges on proposed works based on 9%, 20 yr. levelled loans.

FIGURE 2.6
PROJECTED REVENUE REQUIREMENTS - 1978

ALL COSTS - MILLIONS OF DOLLARS

	COLLECTION				TREATMENT				TOTAL		
	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service	Total
Hamilton	0.68	1.58	0.49	2.75	2.29	1.64	0.66	4.59	2.97	4.37	7.34
Dundas	0.09	0.01	0.12	0.22	0.13	0.04	0.55	0.72	0.22	0.72	0.94
Ancaster	0.02	0.52	0.04	0.58	0.02	0.03	-	0.05	0.04	0.59	0.63
Stoney Creek	0.11	0.11	0.22	0.44	0.14	0.07	0.03	0.24	0.25	0.43	0.68
Flamborough	0.01	0.02	0.02	0.05	0.07	0.01	-	0.08	0.08	0.05	0.13
Total	0.91	2.24	0.89	4.04	2.65	1.79	1.24	5.68	3.56	6.16	9.72

- Notes: 1. Treatment costs (operation, maintenance and debt service) for Ancaster, Stoney Creek and Hamilton derived by splitting total Hamilton plant costs on basis of projected flows.
2. Ancaster system assumed to commence flow to Hamilton plant on Jan. 1, 1976. Debt Service on Ancaster collection system assumed to commence Jan. 1, 1975.
3. All Debt Service charges on proposed works based on 9%, 20 yr. levelled loans.

FIGURE 2.7

PROJECTED REVENUE REQUIREMENTS - 1979

ALL COSTS - MILLIONS OF DOLLARS

	COLLECTION				TREATMENT				TOTAL		
	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service - Existing Works	Debt Service - Proposed Works	Total	Operation & Maintenance	Debt Service	Total
Hamilton	0.76	1.50	0.62	2.88	2.53	1.34	0.98	4.85	3.29	4.44	7.73
Dundas	0.10	0.01	0.20	0.31	0.15	0.04	0.55	0.74	0.25	0.80	1.05
Ancaster	0.02	0.52	0.07	0.61	0.02	0.03	0.01	0.06	0.04	0.63	0.67
Stoney Creek	0.13	0.10	0.27	0.50	0.16	0.06	0.05	0.27	0.29	0.48	0.77
Flamborough	0.01	0.02	0.02	0.05	0.08	0.01	-	0.09	0.09	0.05	0.14
Total	1.02	2.15	1.18	4.35	2.94	1.48	1.59	6.01	3.96	6.40	10.36

- Notes:
1. Treatment costs (operation, maintenance and debt service) for Ancaster, Stoney Creek and Hamilton derived by splitting total Hamilton plant costs on basis of projected flows.
 2. Ancaster system assumed to commence flow to Hamilton plant on Jan. 1, 1976. Debt Service on Ancaster collection system assumed to commence Jan. 1, 1975.
 3. All Debt Service charges on proposed works based on 9%, 20 yr. levelled loans.

FIGURE 2.8

SUMMARY OF PROJECTED REVENUE REQUIREMENTS BY YEAR

1975 - 1979

ALL COSTS - MILLIONS OF DOLLARS

	1975	1976	1977	1978	1979
COLLECTION	3.66	3.86	3.89	4.04	4.35
TREATMENT	4.05	4.74	5.24	5.68	6.01
TOTAL	7.71	8.60	9.13	9.72	10.36

FIGURE 2.9

PROJECTED CAPITAL WORKS BUDGET - SANITARY SEWERAGE

ALL SUMS IN MILLIONS OF DOLLARS

	1974	1975	1976	1977	1978	1979
Hamilton	Collection	1.21	1.32	0.93	1.02	1.17
	Treatment	3.76	0.21	0.94	1.13	2.91
Dundas	Collection	0.05	0.40	0.20	0.40	0.80
	Treatment	-	4.00	1.00	-	-
Ancaster	Collection	-	-	0.20	0.20	0.20
	Treatment	-	-	0.02	0.02	0.05
Stoney Creek	Collection	0.08	0.90	0.50	0.50	0.50
	Treatment	0.20	0.01	0.04	0.05	0.12
Flamborough	Collection	0.03	0.04	0.05	0.05	0.05
	Treatment	-	-	-	-	-
Glanbrook	Collection	-	-	-	0.10	0.20
	Treatment	-	-	-	-	-
	Collection	1.37	2.66	1.88	2.27	2.92
	Treatment	3.96	4.22	2.00	1.20	3.10
						5.00

Notes: (1) Costs of Woodward Avenue Plant extension split between Hamilton, Ancaster and Stoney Creek on basis of projected flow.

2.4 RATE SYSTEMS

2.4.1 General

The revisions to Section 77 of the Hamilton-Wentworth Act which have recently been passed by the Provincial Legislature limit the alternatives open to the Regional Corporation with regard to charging for the provision of sewage facilities. The revised legislation does not permit the Regional Corporation to charge back sewerage costs to an Area Municipality as set out in the original Hamilton-Wentworth Act.

The recommended rate system presented below has been designed to meet the following requirements:

- a) It is permitted under the revisions to the Hamilton-Wentworth Act.
- b) It incorporates a rate feature which may be applied to all areas of the region served by sanitary sewer systems.
- c) It is reasonably easy to administer and enforce.
- d) It is compatible with Section 362 of the Municipal Act, which permits a Municipality to levy a 'sewage service rate' for operation and maintenance of sanitary sewerage system, as well as a "sewer rate" to meet capital and debt charges.

In the financial analyses which follow, revenues accruing to the region by virtue of payments under the Local Improvement Act or Section 362 of the Municipal Act have not been taken into account, thus making the projections of revenue somewhat conservative. However, the magnitude of these revenues is not large when considered in the context of total regional expenditures on sanitary sewerage service.

2.4.2 Recommendations

It is recommended that the Region establish a uniform surcharge on all water bills for the purpose of raising revenues required for sanitary sewerage purposes.

The surcharge would be made up of a sanitary sewer rate and a sanitary sewage service rate with the costs for the capital expenditures, debt charges, operation, and maintenance of the sanitary sewerage systems serving all Area Municipalities being charged back to the persons in the Region who are connected to the sanitary sewer systems. This surcharge would be uniform throughout the Region and would be assessed as a percentage surcharge on the water bills.

The estimated surcharge and the division between the sanitary sewer rate and the sanitary sewage service rate are as follows:

	% ON ANNUAL WATER BILL				
	1975	1976	1977	1978	1979
Sanitary Sewer Rate	55	55	55	55	55
Sanitary Sewage Service Rate	35	35	35	35	35
TOTAL SURCHARGE	90	90	90	90	90

The recommended surcharge can be imposed without the approval of the Ontario Municipal Board.

Now that Volume 1 of this Report dealing with water rates has been approved by Regional Council, and the residential water rates are to be phased in to a uniform rate over a five year period, it is axiomatic that adoption of this recommendation will also phase in uniform sewer rates over the same time period.

Revenue and expenditure projections for the study period based upon the recommended uniform surcharge on all water bills are given in Fig. 2.10.

A particularly significant effect of the proposed surcharge will be to increase the revenue obtained from commercial, institutional and industrial contributors. It is estimated that at present, revenues obtained from various charges to this category account for approximately 45% of all sanitary

sewer revenues. Under the recommended surcharge, this figure will increase to 65% in 1979.

A comparison of proposed charges to residential dwellings using the same amount of water, with existing charges is shown in Fig. 2.11. The charges shown are exclusive of connection and frontage charges.

FIGURE 2.10

FINANCIAL PROJECTIONS -

ALL REVENUES RAISED BY UNIFORM SURCHARGE ON WATER BILLS (90%)

		YEAR				
		1975	1976	1977	1978	1979
Expenditure	this year	7.75	8.64	9.17	9.76	10.40
	accumulative	7.75	16.39	25.56	35.32	45.72
Revenue	this year	8.33	8.49	9.00	10.42	10.61
	accumulative	8.33	16.82	25.82	36.24	46.85

FIGURE 2.11

COMPARISON OF EXISTING & PROPOSED SEWERAGE CHARGES

Area Municipality	Existing Sewerage Charges (2)			Proposed Sewerage Charges (3)					(based on 60,000 gal. annual consumption)
	Method of Charging	Charge to Ave. Household 1974 (1)	Method of Charging for Water	Charge to Ave. Household for Each Year (1)					
				1975 \$	1976 \$	1977 \$	1978 \$	1979 \$	
Hamilton	On General Tax Levy	\$39.96	Assessment Base Meter	34.20 34.21	34.20 34.21	40.50 34.21	40.50 34.21	40.50 34.21	
Dundas	On General Tax Levy	\$26.10 (4)	Meter	57.67	51.84	46.00	40.82	34.21	
Ancaster	125% on Water Bill	\$75.00	Meter	51.84	46.00	42.12	38.88	34.21	
Stoney Creek	Former Town	Flat Rate \$15.00/annum	Flat Rate	26.10	29.70	33.30	36.90	40.50	
	Former Township	40% on Water Bill +18 ¢/000 gal. of water used	Meter	34.21	34.21	34.21	34.21	34.21	
Flamborough	100% on Water Bill +2.26 mills	\$53.30	Meter	34.21	34.21	34.21	34.21	34.21	

- Notes:
- (1) Based on annual water consumption of 60,000 gals.
Excludes frontage and connection charges.
 - (2) Excluding frontage and connection charges.
 - (3) Where meters are installed, sewerage charges will vary depending on water consumption.
 - (4) The average charge of \$26.10 per household in 1974 would increase to \$86.00 per household in 1976 when debt service charges commence on the new sewage treatment plant.

2.5 THE LOCAL IMPROVEMENT ACT, SECTION 362 OF THE
MUNICIPAL ACT AND SUBDIVISION AGREEMENTS

We have considered the feasibility of the Region installing all new sewers in existing developed areas out of the capital budget instead of using the provisions of the Local Improvement Act or Section 362 of the Municipal Act.

If the Region were to proceed in this manner then the Region should also consider forgiving or absorbing payments due for work already carried out using the provisions of these Acts, as well as frontage and connection charges due under Provincially financed schemes.

This could lead to inequities where one homeowner has already paid cash for the charges assessed for the installation of a sewer and an adjacent homeowner is paying his share of the costs on a deferred basis. The homeowner paying on a deferred basis would be forgiven his share of the outstanding costs whereas the homeowner who has paid on a cash basis would receive no rebate.

In addition, in order to be consistent, and so that each homeowner or each prospective homeowner is dealt with on an equal basis, the Region would also pay for all sewers in new developments out of the capital budget instead of having the subdivider install these facilities at his cost as set out in the standard subdivision agreement. A further problem associated with this approach would be the unprecedented demand for the extension of sewer facilities into presently unserved areas.

We, therefore, recommend that

- 1). Payments due for work carried out under the provisions of the Local Improvement Act, Section 362 of the Municipal Act, and Provincial schemes, in respect to frontage and connection charges, should continue and be paid to the Region.

- 2). New local sewers up to and including 18" diameter should be installed in existing developed areas on the basis of the Local Improvement Act or Section 362 of the Municipal Act. Any oversizing of these sewers should be paid out of the capital budget.
- 3). The developers should continue to pay for and install new sewers in subdivisions in accordance with the current policies set down by the Region.

The use of the Local Improvement Act or Section 362 of the Municipal Act by the Region may require additional Regional Staff to implement the provisions of these Acts.

2.6 SEWER BYLAWS

The proposed sewer bylaws are given in the green pages which follow. There are two bylaws, one being a regulatory bylaw while the other provides for the imposition and collection of the sewer surcharge on the water bills.

The main features of these bylaws are as follows:

1. The Sewer and Drain Bylaw has been developed to cover both sanitary sewers and storm sewers.
The sections of this bylaw dealing with
 - (a) Storm sewer are applicable to the Area Municipality of the City of Hamilton, and
 - (b) Storm sewers are only applicable
 - (i) in other Area Municipalities in the Regional area when such Area Municipalities enact bylaws adopting the provisions of this bylaw in that respect, or
 - (ii) in the whole or any part of any other Area Municipality in the Regional area when the Regional Corporation enacts a bylaw assuming responsibility for storm sewers in the whole or any part of such Area Municipality, and

- (c) Storm water private drains, storm water yard sewers and other aspects of storm drainage, other than storm sewers, are only applicable in the whole or any part of any Area Municipality
 - (i) when the Area Municipality enacts a bylaw adopting the provisions of this bylaw, or
 - (ii) when the Regional Corporation enacts a bylaw assuming responsibility therefor.
- 2. Property owners are given nine (9) months in which to connect to the sewers. An extension of not more than two (2) years from the end of the nine (9) months period may be given but not more than two extensions may be granted.
- 3. Sanitary sewage flows are to be kept separate from storm drainage flows.
- 4. Property owners are to maintain and repair any yard sewer or private drain. The Regional Corporation and/or the Area Municipality may pay for the repair if there is a break in the private drain.
- 5. Dumping of septic tank wastes and the discharge of holding tanks is to be by permit only and at a cost of \$5.00 per thousand gallons.
- 6. No person is to discharge into any sanitary sewer or sanitary private drain any storm water, surface water, ground water, roof run-off, sub-surface drainage including weeping tiles, uncontaminated water or, except in the case of residential properties, total quarter yearly sanitary flows in excess of the total quarter yearly metered water consumption from the Regional watermains for the same period.
- 7. Where sanitary sewage flows are in contravention of the bylaw then the owner is to be responsible for treating the wastes or is to bear the cost of the treatment of the sanitary sewerage flows to subject to an agreement with the Regional Corporation, to make them conform to the Bylaw.

8. The Bylaw to provide for imposing on and collecting from owners or occupants of land rates a surcharge sufficient to pay the cost of the Regional sanitary sewage system establishes a sewer surcharge made up as follows:

- a) A "sanitary sewer rate" to cover the capital cost and debt charges of sanitary sewage works. For 1975 this sanitary sewer rate will be 55% of the annual water bill.
- b) A "sanitary sewage service rate" to cover the cost of the operation, repair and maintenance of the sewage works. For 1975 this sanitary sewage service rate will be 35% of the annual water bill.

The total surcharge on the water bills will therefore be 90%.

9. The sewer surcharge based on the gross annual metered water rate is subject to a 10% discount for prompt payment.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. _____

TO REGULATE THE USE OF PUBLIC AND PRI-
VATE SEWERS AND DRAINS, THE INSTALLA-
TION AND CONNECTION OF BUILDING SEWERS
AND DRAINS AND THE DISCHARGE OF WATER
AND WASTES INTO THE SANITARY SEWAGE
SYSTEMS OF THE REGIONAL MUNICIPALITY
OF HAMILTON-WENTWORTH

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THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. _____

TO REGULATE THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND DRAINS AND THE DISCHARGE OF WATER AND WASTES INTO THE SANITARY SEWAGE SYSTEMS OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

WHEREAS it is provided by Section 77 of The Regional Municipality of Hamilton-Wentworth Act

- (a) that the Regional Corporation has on and after January 1, 1974, the sole responsibility for the collection and disposal of all sewage in the Regional Area except as provided for in sub-section (8) of Section 77 of The Regional Municipality of Hamilton-Wentworth Act, and
- (b) that all of the provision of any general Act relating to the collection and disposal of sewage by a municipal corporation apply mutatis mutandis to the Regional Corporation, and

WHEREAS under sub-section (9) of Section 77 of The Regional Municipality of Hamilton-Wentworth Act the Regional Corporation may assume, by By-Law, the responsibility for storm sewers within any Area Municipality, and

WHEREAS the Regional Corporation by the enactment of By-Law No. 9-73 assumed responsibility for all storm sewers within the City of Hamilton, and

WHEREAS under paragraph 129 of sub-section (1) of Section 354 of The Municipal Act, which is made applicable to the Regional Corporation by virtue of sub-section (1) of Section 77 of The Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation is empowered to prohibit and regulate the discharge of any gaseous, liquid or solid matter into land drainage works, private branch drains and connections to any sewer, sewer system or sewage works for the carrying away of domestic sewage or industrial wastes, or both, whether connected to a treatment works or not.

NOW, THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

DEFINITIONS

1. In this By-Law, unless the context otherwise requires, the expression -

(a) "Area Municipality" means any one or all of the following

- (i) The Corporation of the City of Hamilton,
 - (ii) The Corporation of the Town of Dundas,
 - (iii) The Corporation of the Town of Stoney Creek,
 - (iv) The Corporation of the Town of Ancaster,
 - (v) The Corporation of the Township of Glanbrook,
 - (vi) The Corporation of the Township of Flamborough,
- as constituted by Section 2 of The Regional Municipality of Hamilton-Wentworth Act, and

(b) "building drain" or "building sewer" means

- (i) that part of the lowest horizontal piping of a drainage system in or adjacent to a building and which receives the discharge from a soil pipe, or waste pipe, or other drainage pipe, and conveys it to the yard sewer, and
- (ii) wherever used in this By-Law, both a sanitary building drain and a storm water building drain, and

(c) "biochemical oxygen demand" means the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five days, properly controlled at 20^o Centigrade, expressed in parts per million by weight, and

(d) "catchbasin" means a drain installed to collect surface water from an open area and to trap solids, and

(e) "combined sewer" means a sewer intended to function simultaneously as a storm sewer and as a sanitary sewer, and

- (f) "Commissioner of Engineering" means the Commissioner of Engineering for the Regional Corporation or the person duly authorized to act in his stead, and
- (g) "garbage" means solid waste from the preparation, cooking, dispensing of food and from the handling, storage and sale of produce, and
- (h) "main sewer" means any sewer, other than a private drain or yard sewer, owned, operated, maintained or controlled by the Regional Corporation or the appropriate Area Municipality to which private drains are connected, and
- (i) "person"
 - (i) means any person, firm, co-partnership or corporation or any trustee, manager or other person either individually or jointly with another owning or occupying any building or place or having the management or supervision of any building or plant to which this By-Law applies, and
 - (ii) includes any agent, workman, servant or employee of such person, firm, co-partnership or corporation, and
- (j) "pH" means the logarithm (to the base 10) of the reciprocal of the weight of hydrogen ions in grams per litre of solution, and
- (k) "private drain" means
 - (i) that part of a drainage system which connects a yard sewer to a main sewer and is situated within the limits of the highway allowance, and
 - (ii) wherever used in this By-Law, both a sanitary private drain and a storm water private drain, and
- (l) "Regional Area" means the area from time to time included within the Area Municipalities established pursuant to section 2 of The Regional Municipality of Hamilton-Wentworth Act, and

- (m) "Regional Corporation" or "Regional Municipality" means
The Regional Municipality of Hamilton-Wentworth, and
- (n) "sanitary building drain" means a building drain to carry
domestic, commercial and industrial wastes or any of
them, and
- (o) "sanitary private drain" means a private drain to carry
domestic, commercial and industrial wastes or any of
them, and
- (p) "sanitary sewage" includes domestic, commercial and
industrial wastes including contaminated water from
cooling or condensing systems and air-conditioning
systems, and
- (q) "sanitary sewer" means a sewer for the collection and
transmission of domestic, commercial and industrial
wastes or any of them, and
- (r) "sewage" includes drainage, storm water, domestic
wastes, commercial wastes and industrial wastes, and
- (s) "sewage works" means all sewers, sewer systems, pumping
stations, sewage treatment plants and other works for
the collection, acceptance, transmission, treatment and
disposal of sewage, and
- (t) "standard methods" mean the examination and analytical
procedures set forth in the edition, current at the date
of testing, of "Standard Methods for the Examination of
Water, Sewage and Industrial Wastes" published jointly
by the American Public Health Association, the American
Waterworks Association and the Water Pollution Control
Federation, and
- (u) "storm drainage" includes rain, ground or surface water
and uncontaminated water, and

(v) "storm sewer" or "storm drain"

- (i) means a sewer to carry storm drainage, but
- (ii) does not mean a sewer to carry sanitary sewage, and

(w) "storm water building drain"

- (i) means a building drain to carry storm drainage, but
- (ii) does not mean a building drain to carry sanitary sewage, and

(x) "storm water private drain"

- (i) means a private drain to carry storm drainage, but
- (ii) does not mean a private drain to carry sanitary sewage, and

(y) "storm water yard sewer"

- (i) means a yard sewer to carry storm drainage, but
- (ii) does not mean a yard sewer to carry sanitary sewage, and

(z) "suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage or other liquid and which are removable by laboratory filtering, and

(aa) "yard sewer"

- (i) means that part of a drainage system outside a building commencing at a point three (3) feet from the outer face of the wall of a building and connecting the building drain to a private drain connection or to any other place of disposal, and
- (ii) includes that part of a drainage system between a catchbasin and a storm water private drain or other place of disposal, and
- (iii) means, wherever used in this By-Law both a sanitary yard sewer and a storm water yard sewer.

APPLICATION OF BY-LAW

2. (1) Nothing in this By-Law is to be construed as purporting to permit anything which by the provisions of any appli-

cable Act or Regulation is prohibited and where there is a conflict in this respect between the provisions of the applicable Act or Regulation, and the provisions of this By-Law, the provisions of the applicable Act or Regulation are to prevail.

- (2) The sections of this By-Law dealing with
 - (a) storm sewers are applicable to the Area Municipality of the City of Hamilton, and
 - (b) storm sewers are only applicable
 - (i) in other Area Municipalities in the Regional Area when such Area Municipalities enact By-Laws adopting the provisions of this By-Law in that respect, or
 - (ii) in the whole or any part of any other Area Municipality in the Regional Area when the Regional Corporation enacts a By-Law assuming responsibility for storm sewers in the whole or any part of such Area Municipality, and
water
 - (c) storm/private drains, storm water yard sewers and other aspects of storm drainage, other than storm sewers are only applicable in the whole or any part of an Area Municipality
 - (i) when the Area Municipality enacts a By-Law adopting the provisions of this By-Law, or
 - (ii) when the Regional Corporation enacts a By-Law assuming responsibility therefor.

ADMINISTRATION AND ENFORCEMENT

3. (1) The Commissioner of Engineering is responsible for the administration of this By-Law in all areas where the Regional Corporation has jurisdiction and control over sewage works.
- (2) If the Regional Corporation does not pass a By-Law assuming responsibility for storm drainage in the whole or any part of an Area Municipality and the Area Municipality

has passed the necessary By-Law adopting the provisions of this By-Law, as described in sub-section (2) of section 2, then the Area Municipality is responsible for the administration and enforcement of the provisions of this By-Law dealing with storm sewers, storm water building drains, storm water yard sewers and storm water private drains.

SEWER CONNECTIONS

4. (1) Where a parcel of land on a highway or other public communication in which there is a main sewer to which such land may readily be drained, the owner is to install yard sewers and private drains in the manner hereinafter provided, for the drainage of the land to the main sewer, and where he fails to comply with this requirement the Regional Corporation and/or the appropriate Area Municipality, whichever is the case, after the expiration of nine (9) months notice in writing addressed to the owner at his address according to the last revised assessment roll and sent by prepaid registered mail, the Regional Corporation and/or the appropriate Area Municipality, whichever is the case, may enter in and upon the property of the owner and may install the same at the expense of the owner, and the cost is to be added to the collectors roll of the Area Municipality and collected in like manner as realty taxes are collected.
- (2) Upon the application of the owner the Regional Corporation and/or the appropriate Area Municipality, whichever is the case, may grant an extension of not more than two (2) years from the end of the nine (9) month period described in sub-section (1) of this section but not more than two (2) extensions may be granted in respect of any property.

CONNECTION WHERE LAND NOT DIRECTLY SERVICED

5. (1) Where a parcel of land does not abut on a highway or other public communication in which there is a main sewer to which such land may readily be drained, but there is some other sewer to which the land may readily be drained and for the cost of which such parcel has not been specially assessed, such parcel may be drained to such other main sewer
- (a) upon the owner receiving the written consent of the Regional Corporation and/or of the appropriate Area Municipality, whichever is the case, and
 - (b) upon the execution and registration on title of an Agreement in the form set forth in Schedule "A", and
- the owner of the land is to pay annually for a period of ten (10) years, a special rate per foot frontage of such land as may be fixed by the Regional Corporation or the appropriate Area Municipality, whichever is the case, and such special rate may be commuted for the sum per foot frontage as may be fixed by the Regional Corporation or the appropriate Area Municipality, whichever is the case, less any annual payments which have been made on account of principal.
- (2) Notwithstanding the provisions of this section, where any such land is charged with local improvement rates or other sewer construction rates at any time within the ten (10) year period described in sub-section (1) of this section, the remaining installments of the special rate imposed pursuant to this section are to be cancelled, and, where a payment has been made in commutation of the said special rate, the amount applicable to the unexpired portion of such ten (10) year period is to be refunded to the owner of the land.
- (3) All special rates imposed pursuant to this section are to be entered on the collector's roll of the Area Municipality

involved and collected in like manner as realty taxes are collected.

YARD SEWERS AND PRIVATE DRAINS

6. (1) After the date of the enactment of this By-Law,
 - (a) no person is to install any yard sewer for the carriage of both sanitary sewage and storm drainage, but every person installing a yard sewer is responsible
 - (i) where a sanitary sewer is available, that a sanitary yard sewer is installed and connected, and
 - (ii) where a storm sewer is available, that a storm water yard is installed and connected.
 - (b) no person is to install any private drain for the carriage of both sanitary sewage and storm drainage, but every person installing a private drain connection is responsible
 - (i) where a sanitary sewer is available, that a sanitary private drain is installed and connected, and
 - (ii) where a storm sewer is available, that a storm water private drain is installed and connected, but

notwithstanding the provisions of this paragraph where only a combined sewer is available a sanitary private drain and a storm water private drain are to be installed, except where there is an existing private drain.
- (2) Where land is used for residential purposes, not more than one lot or building or premises, is to be connected into one yard sewer or into one private drain.
- (3) Notwithstanding the provisions of sub-section (2) of this section, all dwellings within a row of attached dwellings may be connected into one private drain if

- (a) each dwelling, or group of dwellings, has its own separate building drain connected to a common yard sewer, and
 - (b) all dwellings either remain in the same ownership or the yard sewer is the responsibility of one person.
- (4) Where land is used for non-residential purposes, not more than one lot or building or premises is to be connected into one yard sewer or into one private drain.
- (5) Notwithstanding the provisions of sub-section (4) of this section, where a group of buildings are erected on one parcel of land under one ownership, all units or buildings may be connected into one private drain if
- (a) each unit or building has its own separate building drain connected to a common yard sewer located outside the building, and
 - (b) all units or buildings remain in the one ownership.
- (6) Where any lot which is drained into a main sewer is subdivided, each part into which it is subdivided is to be drained by yard sewers and private drains which are not connected to any other land.
- (7) Notwithstanding the provisions of sub-section (6) of this section, where the lot is used for other than industrial or commercial purposes, the existing private drain and yard sewers serving any building may be used for more than one parcel,
- (a) if the building was constructed prior to the year 1975, and
 - (b) if the main sewer to which the building is connected was constructed prior to the year 1975.
- (8) The provisions of sub-section (7) of this section do not apply to lots, the buildings upon which are,
- (a) demolished in whole or in part, or
 - (b) reconstructed in whole or in part.

PERMIT, BOND AND NOTICE

Sanitary yard sewers, sanitary private drains and lateral connections to a sanitary yard sewer

7. (1) With the exception of work done by duly authorized servants of the Regional Corporation, no person is to commence any work of construction, reconstruction, repairing, installing, altering, or connecting the whole or any part of any
- (a) sanitary yard sewer or lateral connection to a sanitary yard sewer or any appurtenance thereof without a permit signed by the Commissioner of Engineering, and
 - (b) sanitary private drain or any appurtenance thereof
 - (i) without a permit signed by the Commissioner of Engineering, and
 - (ii) without notifying the Engineer for the Area Municipality responsible for the roadway and, if required, obtaining a road cut permit from the Area Municipality.

Storm water yard sewers, storm water private drains, catchbasins connected to a yard sewer and lateral connections to a storm water yard sewer

- (2) With the exception of work done by duly authorized servants of the Area Municipality having jurisdiction and control over storm drainage, no person is to commence any work of constructing, reconstructing, repairing installing, altering or connecting the whole or any part of any storm water yard sewer, storm water private drain, catchbasin connected to a yard sewer or lateral connection to a storm water yard sewer, or any appurtenance thereof without a permit signed by the Engineer for the Area Municipality.

- (3) The permits required under sub-sections (1) and (2) of this section are not to be issued until the person who is to do the work has deposited with the Commissioner of Engineering and/or the Engineer for the appropriate Area Municipality, whichever is the case,
 - (a) an indemnity bond, issued by a surety company licensed to carry on business in Ontario, in a form acceptable to the Regional Treasurer and the Regional Solicitor and/or the Solicitor for the appropriate Area Municipality for the sum of \$1,000.00 and which is to guarantee payment to the Regional Corporation or the appropriate Area Municipality of the cost to it of all works and repairs carried out by it, as a consequence of that person's performance of the work, during each year and for a period of two (2) years after completion of the work, and
 - (b) a certificate of insurance in the amount of \$100,000.00 for property damage and \$200,000.00 for public liability paid up to a date subsequent to the date for completion of the work for which the permit is issued and such insurance
 - (i) is to be issued by a company licensed to carry on business in Ontario, and
 - (ii) is to be in a form that is acceptable to the Regional Treasurer and the Regional Solicitor and/or the Solicitor for the appropriate Area Municipality.
- (4) The bond is to guarantee payment to the Regional Corporation and/or the Area Municipality, whichever is the case, of the cost of all works and repairs rendered necessary by or from the performance of the work.
- (5) No person is to perform or commence any work of repairing any part of any yard sewer or private drain or appurtenance thereof until after he has notified the following:
 - (a) in the case of sanitary private drains, sanitary yard sewers and lateral connections to a sanitary yard sewer the Commissioner of Engineering, and

- (b) in the case of storm water yard sewers, storm water private drains, catchbasins connected to a yard sewer or lateral connections to a storm water yard sewer the Engineer for the Area Municipality.

(6) Every application for a permit

- (a) is to be in writing in the form set forth in Schedule "B", and is to be signed by the Owner of the land to be drained, or by his agent duly authorized in writing, and
- (b) is to show the full name and full address of the person who is to do the work, and
- (c) is to be made by delivering the same to the office of the Commissioner of Engineering or the Engineer of the appropriate Area Municipality, whichever is the case, together with
- (i) three (3) copies of proper plans and specifications, and
 - (ii) a complete analysis of the wastes to be discharged to all yard sewers and private drains from industrial or commercial premises, and
- to include the permit fee set forth in Schedule
- Commissioner of Engineering or the Engineer of the Municipality, whichever is the case, may waive the requirement for plans, specifications and analysis described in sub-section (6) of this section, in relation to those wastes described in sub-sections (1) and (2) of this section that are under the respective jurisdiction and control of the Regional Corporation or an Area Municipality, wherever in his opinion they may safely be dispensed with.

STANDARDS FOR PIPE AND FITTINGS

8. (1) All pipe used for yard sewers, private drains and lateral connections to yard sewers is to meet the standards set by the Commissioner of Engineering or the Engineer

for the appropriate Area Municipality, whichever is the case, in respect of works described under this By-Law as coming under the jurisdiction and control of the Regional Corporation or of an Area Municipality.

(2) In all cases the fittings used in the construction of private drains

- (a) are to be equal in quality to the pipe used, and
- (b) are to be suitable, in the opinion of the Commissioner of Engineering or of the Engineer for the appropriate Area Municipality, whichever is the case, for the type of pipe used.

(3) No person is to install any yard sewer or any private drain,

- (a) of a capacity that in the opinion of the Commissioner of Engineering or of the Engineer for the appropriate Area Municipality, whichever is the case, is less than adequate, or

- (b) of a diameter that is less than that of the building drain, and

that in any event is of a diameter of not less than six inches (6") in the Area Municipality of the City of Hamilton and five inches (5") in the other Area Municipalities in the Regional Area.

INSTALLATION OF YARD SEWERS AND PRIVATE DRAINS

9. (1) Every yard sewer and private drain is to be designed, constructed and installed in accordance with generally accepted good practice, with all joints completed with suitable materials and in a proper workmanlike manner, finished clean and smooth on both the outside and inside of the pipe, and, at the line of the highway, having the top of the pipe at least seven feet (7'-0") below the level of the finished surface of the roadway opposite that point, or at such higher elevation only as may be necessitated by the level of the main sewer.

- (2) Every private drain connection is to be connected to a main sewer, using proper "T" or "Y" fittings. Saddles may only be used where approved by the Commissioner of Engineering or the Engineer for the appropriate Area Municipality, whichever is the case.
- (3) The slope of the yard sewers and private drains is not to be less than one eighth ($1/8$) of an inch per foot of pipe.
- (4) Every yard sewer and private drain, throughout their length from the main sewer to the building or other place to be drained is to be laid, as nearly as practicable, in a straight line in a trench at a right angle from the main sewer and distant at least six feet (6'-0") from any existing water service pipe that was installed prior to the installation of either the yard sewers or private drains. The six feet (6'-0") between trenches is to be measured horizontally between the closest parts of the water service pipe and the yard sewer or private drain. Only one storm water yard sewer and one sanitary yard sewer or one storm water private drain and one sanitary private drain are to be installed in one trench.
- (5) Where excavation of bedrock is required over more than twenty-five per cent (25%) of the length of the trench in order to install the yard sewer and private drain then the installation of the yard sewer and the private drain may be permitted, with the prior approval of the Commissioner of Engineering, in the same trench as the water service pipe upon the following conditions,
 - (a) all water service pipes are to be laid five feet (5') below the finished grade with a minimum of six inches (6") of granular material being placed under such pipe, and

- (b) the crown of the yard sewer or private drain is in all places to be not less than one foot (1') below the invert of the water service pipe, and
 - (c) the yard sewers and private drains are to be installed prior to the water service pipe, and each of the conditions described in this sub-section is to be complied with to the satisfaction of the Commissioner of Engineering.
- (6) Where the installation is not permitted in the same trench as described in sub-section (5) of this section, the water service pipe is to be laid in a separate trench from the yard sewer or private drain and the yard sewer or private drain is to be distant at least six feet (6'-0") from the water service pipe, which is to be measured horizontally between the closest parts of the water service pipe and the yard sewer or private drain.
- (7) Where private drains are installed and backfilled prior to the installation of the yard sewer the ends of the private drains at the limit of the highway are to be
 - (a) tightly sealed with proper caps, and
 - (b) carefully marked so that they can be readily located after the backfill is placed, and
 - (c) made readily distinguishable by painting red the end of the sanitary drain.
- (8) No person is to connect any sanitary yard sewer to any building drain other than a sanitary building drain, or any storm water yard sewer to any building drain other than a storm water building drain.
- (9) No person is to perform any work of installation of a yard sewer until
 - (a) the main sewer is in operation and the private drain is installed, and

- (b) either the roof is on the building, or the upper end of the yard sewer is properly covered and protected in the manner set forth in Schedule "F".
- (10) A manhole is to be constructed by the owner at his own expense and in accordance with plans approved by the Commissioner of Engineering
 - (a) at the junction of the main sewer for every private drain having a diameter equal to or greater than twelve inches (12"), and
 - (b) in the case of every yard sewer regardless of size, carrying industrial waste, a manhole
 - (i) is to be located on the owner's property immediately adjacent to the line of the highway or at some other location that in the opinion of the Commissioner of Engineering, is suitable, and
 - (ii) is to be readily accessible, and maintained in a safe condition, by the owner of the property.
- (11) The owner of the lands is responsible that no part of a private drain, yard sewer, lateral connection to a yard sewer or any appurtenance thereof is back filled or hidden from view, until notice has been given to and the work inspected by the Commissioner of Engineering and/or the Engineer for the appropriate Area Municipality, whichever is the case, and it is an offence for any person to backfill or hide any part of a private drain, yard sewer, lateral connection to a yard sewer or any appurtenance thereof from view until there has been such notice and inspection.
- (12) An existing private drain is not to be used as the outlet for a new yard sewer until it has been determined by exposure at the line of the highway, that it is of adequate size, at proper depth, in good condition and connected to the appropriate main sewer.
- (13) All roadways, curbs, sidewalks, sodding and other works disturbed during the installation of a private drain or manhole are to be reinstated to a condition
 - (a) that is at least equal to that existing before they were disturbed, and
 - (b) that is acceptable to the Commissioner of Engineering or the Engineer for the appropriate Area Municipality, whichever is the case.

PARKING AREA DRAINAGE

10. Every parking area for vehicles is to be drained by catch-basins, storm water yard sewers and storm water private

drains in such manner as is approved by the Engineer for the Area Municipality but where such catchbasins, storm water yard sewers and storm water private drains are connected to a main sewer which is under the jurisdiction and control of the Regional Corporation then the Engineer for the Area Municipality is to obtain the approval of the Commissioner of Engineering of the standards to be used in draining such parking areas.

MAINTENANCE OF YARD SEWERS AND PRIVATE DRAINS

11. (1) The owner of lands drained into any main sewer is, at his own full cost and expense, to
 - (a) properly maintain, repair and make necessary replacement of,
 - (i) any yard sewer, and
 - (ii) any private drain, and
 - (b) repair any roadway, sidewalk or curb that is
 - (i) damaged by reason of faulty yard sewers and private drains or either of them, or
 - (ii) disturbed by reason of the maintaining repairing or replacement of the yard sewer and private drain or either of them.
- (2) Notwithstanding sub-section (1) of this section, where the Regional Corporation or the appropriate Area Municipality is satisfied
 - (a) that the private drain is broken, and
 - (b) that the repair of the break in the private drain is undertaken by a person to whom a permit is issued under Section 7,the Regional Corporation and/or the Area Municipality whichever is the case, may pay the expense incurred by the owner in the repair of the break in the private drain by the person to whom a permit is issued.

GREASE TRAPS

12. (1) Every person operating a restaurant business, public garage, metals plant or other establishment of any kind from which there is or is likely to be discharged into any sewer, any oil or grease contrary to this By-Law is to install a suitable grease and oil trap but the provisions of this sub-section do not apply to private living quarters.
- (2) A grease and oil trap is not suitable within the meaning of sub-section (1) of this section unless
- (a) it is capable of intercepting and trapping grease, oil, flammable wastes, sand and other such ingredients, and
 - (b) it is, in the opinion of the Commissioner of Engineering, of adequate size.
- (3) Every such grease and oil trap is to be located so as to be readily accessible for inspection and cleaning, and is to be kept in proper working order by the owner or operator of any establishment described under sub-section (1) of this section.

PROHIBITED DISCHARGES

13. (1) No person is to discharge or permit the discharge of septic tank wastes into the Regional Sewage System,
- (a) without an annual permit in the form set forth in Schedule "D" and signed by the Commissioner of Engineering, and
 - (b) unless it is in conformity as to time and place as set forth in Schedule "E", and
 - (c) without payment of the fee as set forth in Schedule "C"
- (2) No person is to discharge or permit the discharge of wastes from a holding tank into the Regional Sewage System

- (a) without an annual permit in the form set forth in Schedule "D" and signed by the Commissioner of Engineering, and
 - (b) unless it is in conformity as to time and place as set forth in Schedule "E", and
 - (c) unless the Commissioner of Engineering has approved in writing the nature and volume of the materials to be discharged from the holding tank, and
 - (d) without payment of a fee as set forth in Schedule "C".
- (3) Notwithstanding sub-section (1) and (2) of this section, where an emergency exists, the Regional Corporation may, upon the advice and information of the Commissioner of Engineering, allow the discharge of septic tank wastes or wastes from a holding tank into the Regional sewage system at a location specified by the Commissioner of Engineering.
- (4) No person is to discharge or allow the discharge of, directly or indirectly, into any sewer or drain or into any land drainage works any of the following matter,
- (a) liquid or vapour having a temperature of more than one hundred and fifty degrees (150^O) Fahrenheit, and
 - (b) gasoline, benzine, naptha, fuel oil or other inflammable or explosive liquid, and
 - (c) ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, plaster, wood, cellulose, and
 - (d) animal waste other than human, such as hair, wool or fur, feathers, intestines, blood, parts of bodies or other such animal waste, and
 - (e) matter having a pH lower than five point five (5.5) or higher than nine point five (9.5) or having any other corrosive property which may cause damage to the sewerage system, or injury to any person, and

- (f) waste capable of creating a public nuisance by reason of its noxious or malodourous qualities or otherwise, and
 - (g) substance of such a kind or condition or in such quantity as to be capable of causing obstruction to the flow in the sewer or interfering with the proper operation of the Regional sewage system, and
 - (h) atomic waste or radioactive materials, and
 - (i) hair from barber shops, hairdressing establishments, wig-makers' shops or other similar places, and
 - (j) parts of human bodies from hospitals, medical schools, undertakers' establishments or from any other places of any kind.
- (5) No person is to discharge or allow the discharge either directly or indirectly into any storm sewer, of
- (a) any liquid which may contain more than ten (10) parts per million by weight of fat, grease, or other matter that is soluble in ether, and
 - (b) any matter of such a nature and in such concentration or quantity as may cause death or injury to any person, fish, animal or bird, or damage to any property, and
 - (c) any matter containing suspended solids exceeding twenty (20) parts per million by weight, or which will not readily pass through a quarter-inch ($\frac{1}{4}$ ") screen, and
 - (d) any matter in which the five-day biochemical oxygen demand exceeds twenty (20) parts per million by weight, and
 - (e) any coloured matter from which the colour is not capable of being removed, or from which the colour is not capable of being substantially dispersed by adding as little as four (4) parts of water without colour to one (1) part of the coloured matter, and
 - (f) any matter containing any toxic or poisonous substance of such a nature and in a concen-

tration or quantity which might be dangerous to marine or vegetable life in any lake or other body of water into which the storm sewer discharges, and without restricting the generality of this paragraph, any of the following materials in greater concentration by weight than as follows,

(i) Phenolic Equivalents	20	parts per billion, and
(ii) Cyanides as "HCN"	0.1	parts per million, and
(iii) Cadmium as "Cd"	1.0	parts per million, and
(iv) Chromium as "Cr"	1.0	parts per million, and
(v) Copper as "Cu"	3	parts per million, and
(vi) Zinc as "Zn"	15	parts per million, and
(vii) Iron as "Fe"	17	parts per million, and
(viii) Chlorides as "Cl"	1500	parts per million, and
(ix) Sulphates as "SO ₄ "	1500	parts per million, and

(g) any matter in which the median coliform count exceeds two thousand four hundred (2400) per hundred millilitres, and

(h) garbage.

(6) No person is to discharge or allow the discharge of, directly or indirectly, into any sanitary sewer or into any combined sanitary and storm sewer, any

(a) matter which may contain more than one hundred (100) parts per million by weight of fat, oil or grease of animal or vegetable origin, or more than ten (10) parts per million by weight, of oil or grease of mineral origin, and

(b) matter containing suspended solids exceeding three hundred and fifty (350) parts per million by weight, and

(c) matter in which the five (5) day biochemical oxygen demand exceeds three hundred (300) parts per million by weight, and

(d) matter containing any toxic or poisonous substance of such a nature and in a concentration or quantity that might interfere with or prejudice any sewage treatment process, or which might constitute a danger to humans or other

animals or impair the quality of the water in any lake or other body of water to which the effluent from the sewage treatment plant is discharged, and without restricting the generality of this sub-section, any of the following materials in greater concentration by weight than as follows,

- (i) Chromium as "Cr" 3 parts per million, and
 - (ii) Cyanide as "HCN" 2 parts per million, and
 - (iii) Phenol or equivalent 50 parts per billion, and
 - (iv) Copper as "Cu" 1 part per million, and
 - (v) Zinc as "Zn" 1 part per million, and
 - (vi) Nickel as "Ni" 1 part per million, and
 - (vii) Cadmium as "Cd" 1 part per million, and
 - (e) garbage, but the Commissioner of Engineering may give his consent in writing which may be revoked at any time without notice, for the installation of a hydraulic garbage shredder in any premises wherever he is satisfied that the capacity of the main sewer and the flow in the same is such that there is no likelihood of any accumulation in the main sewer.
- (7) No person is to discharge or allow the discharge, either directly or indirectly into any sanitary sewer or sanitary private drain, of
- (a) storm water, and
 - (b) surface water, and
 - (c) ground water, and
 - (d) roof run-off, and
 - (e) sub-surface drainage including weeping tiles, and
 - (f) uncontaminated water, and
 - (g) total quarter yearly sanitary sewage flows in excess of the total quarter yearly metered water consumption from the Regional Waterworks System for the same period, except in the case of residential properties.

TEST OF WASTES

14. All measurements, tests and analysis of the characteristics

of water and waste is to be determined in accordance with standard methods.

WASTE TREATMENT UNDER AGREEMENT WITH REGIONAL CORPORATION

15. Where the waste discharged from any premises is in contravention of Section 13 hereof, the owner or other person in charge of the premises
- (a) is responsible for the necessary treatment of such waste to make the same conform to the requirements of this By-Law, or
 - (b) is to bear the cost of necessary treatment by the Regional Corporation
 - (i) where that treatment is feasible in the opinion of the Commissioner of Engineering, and
 - (ii) the Regional Corporation by agreement in writing undertakes such treatment.

REMOVAL OR DEMOLITION OF BUILDINGS

16. When a building is removed or demolished the owner is responsible that every private drain is exposed at the line of the highway and reasonable notice given to the Commissioner of Engineering and/or the Engineer of the appropriate Area Municipality, whichever is the case, so that it may be inspected and the owner
- (a) if the private drain meets the requirements of this By-Law and is in good condition, is responsible for the plugging of that private drain at the line of the highway, and
 - (b) if the private drain does not meet the requirements of this By-Law and is not in good condition, is responsible
 - (i) to disconnect that private drain at the main sewer, and
 - (ii) for the proper plugging of the junction of the main sewer, andall such work that is required to be done under

this paragraph is to be done by a contractor who is bonded in accordance with the terms of this By-Law, and

- (c) in respect of the roadways, curbs, sidewalks, sodding and other works disturbed during the removal or plugging of the private drain, is responsible to reinstate same to a condition
 - (i) that is at least equal to that existing before they were so disturbed, and
 - (ii) that is acceptable to the Commissioner of Engineering or the Engineer for the appropriate Area Municipality, whichever is the case.

MISCELLANEOUS PROHIBITIONS

Obstructing Watercourses

- 17. (1) No person is to obstruct, allow the obstruction of or maintain any obstruction in any open or closed drainage facility or natural watercourse.
- (2) The Regional Corporation or the appropriate Area Municipality may by a Notice in Writing, require the owner of the lands or any other person, obstructing or allowing the obstruction of or maintaining the obstruction of any drain or watercourse, to do within a specified time all such work as the Regional Corporation or the appropriate Area Municipality, whichever is the case, determines is necessary to remove the obstruction as specified in the said notice.

Damaging or Obstructing Sewer

- (3) No person is to do anything likely to damage or obstruct any part of the sewage works system of the Regional Corporation or of any Area Municipality.

Tampering with Regional Sewage System

- (4) No unauthorized person is to tamper with any part of the sewage works system or enter into any main sewer or other part of the sewage works system.

Connections to Sanitary or Storm Sewers of the Regional Corporation

- (5) No Area Municipality is to connect to the sanitary or storm sewers of the Regional Corporation without having obtained the prior approval of the Regional Corporation.

Connections to the Storm Sewers of the Area Municipalities

- (6) The Regional Corporation is not to connect to the storm sewers of an Area Municipality without having obtained the prior approval of the Area Municipality.

WHERE WORKS TO BE DONE BY COMMISSIONER OF ENGINEERING OR
BY THE ENGINEER FOR AN AREA MUNICIPALITY

18. Where

- (a) any condition exists that is in contravention of any of the provisions of this By-Law, or
(b) any work is done or not done in accordance with the provisions of this By-Law,

the Commissioner of Engineering and/or the Engineer for the appropriate Area Municipality, whichever is the case, may cause it to be done or properly done and the amount of the expense incurred in so doing it may be recovered by action or added to the collector's roll of the Area Municipality and collected in the same manner as taxes are collected.

SCHEDULES

19. Schedules "A" to "F" form part of this By-Law.

PENALTY

20. Every person found guilty of contravening any provision of this By-Law is liable to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.

SHORT TITLE

21. This By-Law may be known and referred to as "The Sewer and Drain By-Law".

EFFECTIVE DATE

22. This By-Law is to be deemed to have come into force and effect on the 1st day of January, 1975.

ENACTED AND PASSED this day of , 1974.

CLERK

CHAIRMAN

- (a) to pay annually for a period of ten (10) years, a special rate of \$ per foot frontage of such land, and such special rate may be commuted for the sum of \$ per foot frontage less any annual payments which have been made on account of principal.
- (b) to forego any claim for damages from back water from the said sewer in
- (c) not to petition against or oppose the construction of a main sewer in any highway upon which any part of the said parcel of land abuts, and the whole or part of the expense of installing which main sewer is to be specially assessed against the said parcel, and that if his name or the name of any of his successors in title appear on any such petition the same may be disregarded in determining the number of owners petitioning against any such proposed work and in determining the value of the lands to be specially assessed.
- (d) to disconnect every yard sewer in the said parcel from the private drains to the sewers in

when any main sewer of a kind to which such yard sewer is permitted by the said By-Law to be connected, is laid in any highway immediately in front of or alongside the said parcel, and to connect such yard sewers to private drains to such new sewers.
- (e) that the covenants herein contained are binding upon the Owner and his successors in title and are covenants running with the land.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:

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(OWNER:

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1.

(Full Name)

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(Full Address)

(

"SCHEDULE 1"

DESCRIPTION OF LANDS

SCHEDULE "B"

APPLICATION FOR SEWERS AND DRAINS PERMIT
(Referred to in Section 7(1))

I _____

Owner of _____

On the _____ Side of _____

Between _____ and _____

in the Municipality of _____

hereby make application to connect with the Main Sewers of the
Municipality on _____

and construct the following work:

<u>Number</u>	<u>Size</u>	<u>Description</u>		
_____	_____	Sanitary Yard Sewer(s)	@\$ _____	\$ _____
_____	_____	Sanitary Private Drain(s)	@\$ _____	\$ _____
_____	_____	Storm Water Yard Sewer(s)	@\$ _____	\$ _____
_____	_____	Storm Water Private Drain(s)	@\$ _____	\$ _____
_____	_____	Lateral Sanitary or Storm Water Connection(s) to a Yard Sewer	@\$ _____	\$ _____
_____	_____	Catchbasins	@\$ _____	\$ _____

Basic Fee is \$ _____

Plans	Yes	No	TOTAL PERMIT FEE	\$ _____
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Such Work is to be Constructed by _____

Signature of Applicant _____

Address _____

Date _____, 19____.

Approved _____

No. _____

SCHEDULE "C"

SCHEDULE OF FEES FOR SEWER PERMITS
(Referred to in Sections 7 and 13)

Basic Fee for any permit.....\$15.00

And in addition to the basic fee:-

For a sanitary yard sewer and a sanitary private
drain, or for either one individually.....\$ 4.00

For a storm water yard sewer and a storm water
private drain, or for either one individually.....\$ 4.00

For a lateral connection to a yard sewer.....\$ 3.00

For a catchbasin including connection to a storm
water yard sewer.....\$ 3.00

Annual fee for a permit to discharge septic tank
wastes (including basic fee).....\$10.00

*For the discharge of septic tank wastes.....\$5.00/1000 gals.

*For the discharge of holding tank wastes.....\$5.00/1000 gals..

* NOTE: The minimum charge per load of septic
wastes and holding tank wastes is.....\$5.00

Books of tickets may be purchased
at the same time as the annual permit.

SCHEDULE "D"

APPLICATION FOR ANNUAL PERMIT TO DISCHARGE SEPTIC TANK WASTES
OR HOLDING TANK WASTES

(Referred to in Sections 13 (1) and 13 (2))

1. Name of Applicant _____

(Address)

2. Location of proposed discharge _____ Sewage Treatment Plant

3. Approximately annual quantity _____ imperial gallons.

4. Nature and volume of material to be dumped (holding tank only).

5. Signature of Applicant _____

Date _____, 19____.

6. Date of expiry of permit _____, 19____.

7. Fee

Annual Fee \$

Tickets \$ _____

TOTAL FEE \$ _____

Approved _____

No. _____

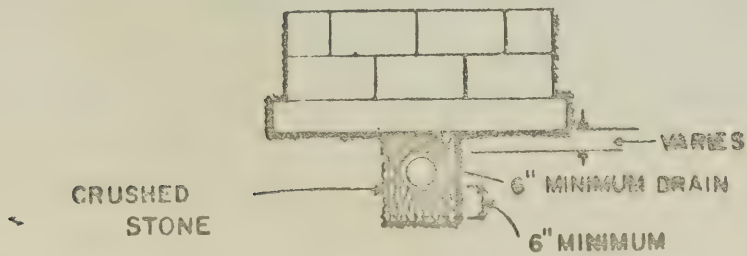
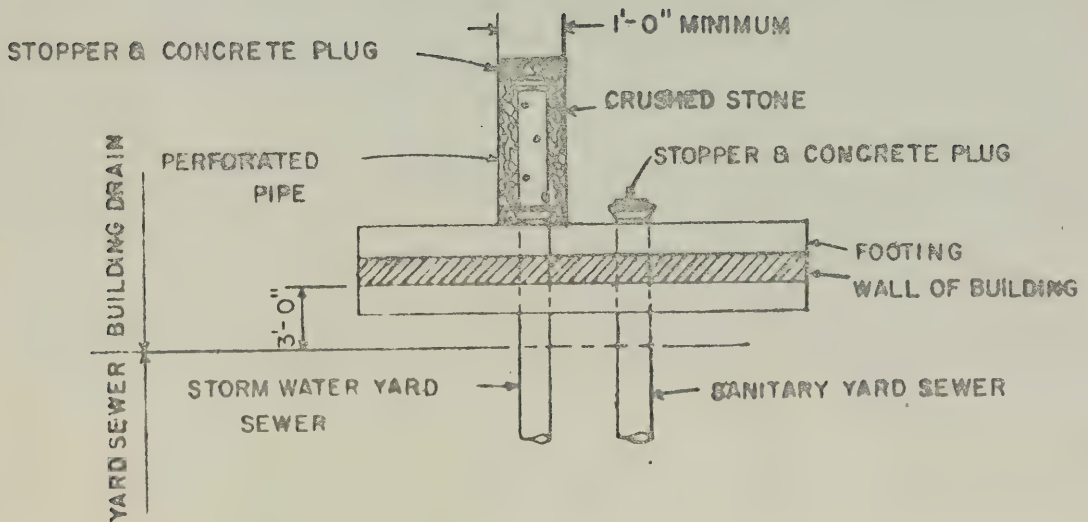
SCHEDULE "E"

LOCATIONS, ETC., FOR DISCHARGE OF SEPTIC TANK
WASTES AND HOLDING TANK WASTES
(Referred to in Sections 13 (1) and 13 (2))

<u>Location</u>	<u>Time</u>
1. Woodward Avenue Sewage Treatment Plant 700 Woodward Avenue Hamilton, Ontario.....	8:00 a.m. to 6:00 p.m.
2. King Street Sewage Treatment Plant Dundas, Ontario.....	8:00 a.m. to 6:00 p.m. (Monday to Friday except Statutory Holidays)
3. Waterdown Sewage Treatment Plant Waterdown, Ontario.....	8:00 a.m. to 5:00 p.m. (by arrangement with the operator)

SCHEDULE "F"

PROTECTION OF OPEN END OF YARD SEWER
(Referred to in Section 9 (9))



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. _____

TO PROVIDE FOR IMPOSING ON AND COLLECTING
FROM THE OWNERS OR OCCUPANTS OF LANDS WITH-
IN THE REGIONAL MUNICIPALITY OF HAMILTON-
WENTWORTH A SURCHARGE ON THE WATER RATE TO
COVER THE COST OF THE ESTABLISHMENT, CON-
STRUCTION, MAINTENANCE, OPERATION AND THE
FINANCING OF THE SANITARY SEWAGE SYSTEM OF
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

YATES and YATES
Barristers
15 King St. W.
Hamilton, Ontario

C O N T E N T S

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THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. _____

TO PROVIDE FOR IMPOSING ON AND COLLECTING FROM
THE OWNERS OR OCCUPANTS OF LANDS WITHIN THE
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH A
SURCHARGE ON THE WATER RATE TO COVER THE COST
OF THE ESTABLISHMENT, CONSTRUCTION, MAINTENANCE
OPERATION AND THE FINANCING OF THE SANITARY SEWAGE
SYSTEM OF THE REGIONAL MUNICIPALITY OF HAMILTON-
WENTWORTH

WHEREAS on and after the 1st day of January, 1975, The Regional Municipality of Hamilton-Wentworth has, under section 77(1) of The Regional Municipality of Hamilton-Wentworth Act, the sole responsibility for the collection and disposal of all sanitary sewage, including the establishment, construction, maintenance, operation and financing thereof, within The Regional Municipality of Hamilton-Wentworth and all of the provisions of any general or special act relating to the collection and disposal of sanitary sewage and the financing thereof apply mutatis mutandis thereto, and

WHEREAS on and after the 1st day of January, 1975, The Regional Municipality of Hamilton-Wentworth has the power to finance the whole or any part of the costs, including the construction, maintenance, operation and debt charges of the collection and disposal of sanitary sewage, by imposing a surcharge on the water rate without the approval of the Ontario Municipal Board, and

WHEREAS the surcharge, imposed under the provisions of this By-Law, is comprised of a sanitary sewer rate and a sanitary sewage service rate to cover the cost of the collection and disposal of all sewage in The Regional Municipality of Hamilton-Wentworth including the establishment, construction, maintenance, operation and debt charges.

NOW, THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

DEFINITIONS

1. In this By-Law, unless the context otherwise requires,

- (a) "Area Municipality" means any one or all of the following,
 - (i) The Corporation of the City of Hamilton,
 - (ii) The Corporation of the Town of Dundas,
 - (iii) The Corporation of the Town of Stoney Creek,
 - (iv) The Corporation of the Town of Ancaster,
 - (v) The Corporation of the Township of Glanbrook,
 - (vi) The Corporation of the Township of Flamborough as constituted by Section 2 of The Regional Municipality of Hamilton-Wentworth Act, and
- (b) "Commissioner of Engineering" means the Commissioner of Engineering for the Regional Corporation or the person duly authorized to act in his stead, and
- (c) "Regional Area" means the area from time to time included within the Area Municipalities established pursuant to section 2 of The Regional Municipality of Hamilton-Wentworth Act, and
- (d) "Regional Corporation" or "Regional Municipality" means The Regional Municipality of Hamilton-Wentworth, and
- (e) "Regional Treasurer" means the Treasurer for the Regional Corporation or such person as is duly authorized to act in his stead, and
- (f) "sanitary sewage service rate"
 - (i) means a charge for the operation and maintenance of sanitary sewage works, and
 - (ii) includes a charge for depreciation, deferred maintenance, or a reserve fund for any such purpose, and

- (g) "sanitary sewage system" means
 - (i) the buildings, structures, plant, machinery, equipment, appurtenances, devices, conduits, outlets, underground pipelines and installations, and other works designated for the collection and treatment of sanitary sewage, and
 - (ii) includes lands appropriated for such purposes and uses, and
- (h) "sanitary sewage works"
 - (i) means all sanitary sewers, sanitary sewer systems, pumping stations, sewage treatment plants, and
 - (ii) includes combined sewers, sanitary private drains and other works for the collection, acceptance, transmission, treatment and disposal of sanitary sewage, and
- (i) "sanitary sewer rate" means a charge for the capital cost of sewage works which includes debt charges, and
- (j) "surcharge" means the sanitary sewage service rate and sanitary sewer rate, and
- (k) "water rate" means the rates or charges established by "The Waterworks By-Law" of the Regional Corporation, and
- (l) "Waterworks By-Law" means The Waterworks By-Law of the Regional Corporation.

ADMINISTRATION AND ENFORCEMENT

- 2. (1) The Regional Treasurer is responsible, except as otherwise provided in this By-Law, for the billing and collection of the surcharge imposed under the provisions of this By-Law for the financing of the collection and disposal of all sanitary sewage in the

Regional Area including the construction, maintenance, operation and debt charges of the sanitary sewage systems of the Regional Corporation.

- (2) The Commissioner of Engineering is to furnish The Regional Treasurer quarter-yearly in January, April, July and October, not later than the 10th day of each of the said months, with a list of all streets and parts of streets and other places where yard sewers have been connected to private drains during the immediately preceding three (3) calendar months.

LIABILITY FOR SURCHARGE BASED ON THE
WATER RATES OF THE REGIONAL CORPORATION

3. The owners and occupants of all lands within the Regional Municipality who are connected to the sanitary sewage systems of the Regional Corporation are liable to pay, in accordance with the provisions of this By-Law a surcharge, comprised of a sanitary sewer rate and a sanitary sewage service rate, based on percentages of the water rates of the Regional Corporation as set forth in section 1 of Schedule "A".

LIABILITY FOR SURCHARGE BASED ON NON-METERED WATER
RATES OF THE REGIONAL CORPORATION

4. (1) Where there is a non-metered water rate fixed by the Waterworks By-Law for the whole or any part of an Area Municipality then the surcharge is to be determined on the basis of the percentages as set forth in section 1 of Schedule "A", of that non-metered water rate whether that rate is derived from an assessment base or is a flat rate.

- (2) The surcharge determined under sub-section (1) of this section is, in accordance with an agreement between the Regional Corporation and the Area Municipality, to be added to the Collectors Roll of the Area Municipality and collected in the same manner as taxes and such surcharge
- (a) is subject to the same discounts, interest and penalties as for taxes, and
- (b) when collected is to be forwarded by the Area Municipality to the Regional Treasurer within the time prescribed in that agreement.

LIABILITY FOR SURCHARGE BASED ON METERED WATER
RATES OF THE REGIONAL CORPORATION

5. (1) Where there is a metered water rate fixed by the Waterworks By-Law for the whole or any part of an Area Municipality then the surcharge is to be determined on the basis of the percentages, as set forth in Schedule "A", of that metered water rate.
- (2) The surcharge determined under sub-section (1) of this section is to be added to the bill sent under sub-section (2) of section 12 of the Waterworks By-Law.

Discounts for Prompt Payment

- (3) A discount for prompt payment, as set forth in section 2 of Schedule "A", is to be allowed on the bill for the surcharge based on metered water rates fixed under the Waterworks By-Law.

Notification of Non-Payment

- (4) Where an account for the surcharge based on metered water rates remains unpaid

- (a) fifteen (15) days after the expiration of the discount period set forth in section 2 of Schedule "A", a notice of non-payment is to be sent by the Regional Treasurer, or on his behalf, by ordinary prepaid mail, and
- (b) thirty (30) days after the expiration of the discount period, set forth in section 2 of Schedule "A", a final notice is to be sent by the Regional Treasurer, or on his behalf, by ordinary prepaid mail advising that if the account continues unpaid for ten (10) days after the mailing of such final notice
 - (i) the water may be turned off as set forth in paragraph (a) of sub-section (6) of this section, or
 - (ii) the arrears may be collected by a distress as set forth in paragraph (b) of sub-section (6) of this section, or
 - (iii) the arrears may be added to the Collectors Roll of the Area Municipality and collected in the same manner as taxes as set forth in paragraph (c) of sub-section (6) of this section.

When Water Meter does not Record
Properly or Can Not Be Read

- (5) Where a water meter fails to record properly, or where the meter-reader is unable to obtain a reading, the person or persons liable to pay the surcharge based on metered water rates are liable to pay such surcharge on the water rate for an amount of water estimated on the basis of a corresponding period of the immediately preceding year, but if such person or persons did not occupy the same premises for the same period during the corresponding period of the immediately preceding year, then such person or

persons are liable to pay such surcharge on the water rate for an amount of water based on a similar period of the current year, or where that is not applicable then the person or persons are liable for such surcharge based on the applicable minimum charge for water as set forth in sections 1 and 2 of Schedule "B" of the Waterworks By-Law.

Remedies for Non-Payment of Surcharge
Based on Metered Water Rates

- (6) Where an account for the surcharge based on metered water rates remains unpaid, the Regional Corporation may proceed in any or all of the following ways:

Turning Off Water

- (a) the Regional Treasurer may notify the Commissioner of Engineering of any bill remaining in arrears forty-five (45) days after the expiration of the discount period described in section 2 of Schedule "A" and upon receipt of such notification the Commissioner of Engineering may cause the water to be shut off and not turned on again until payment is made of the outstanding bill for the surcharge based on metered water rates, plus a fee for turning on the water in the amount set forth in section 6 of Schedule "F" of the Waterworks By-Law, or

Collection by Distress

- (b) accounts in arrears for surcharge based on metered water rates may be collected by distress upon the goods and chattels of the person or persons who is or are liable to pay the same, or upon any goods and chattels in his possession, wherever the same may be found, or

Collection in the Same Manner as Taxes

- (c) the arrears of all accounts for the surcharge based on metered water rates which remain unpaid forty-five(45) days after the expiration of the discount period described in section 2 of Schedule "A" may be entered on the Collectors' Roll of the Area Municipality and collected in the same manner as taxes, and are subject to the same interest, and penalties as for taxes. Within ten (10) days after such action has been taken a written notice to that effect is to be sent by ordinary prepaid mail by the Regional Treasurer, or on his behalf, to the owner of the premises as set forth in the last revised assessment roll.

LIABILITY FOR SURCHARGE WHERE THE OWNER OR OCCUPANT OF THE LAND IS NOT CONNECTED TO THE REGIONAL WATERWORKS SYSTEM

City of Hamilton and Town of Stoney Creek

6. (1) The owner or occupant of lands in the City of Hamilton and in the Town of Stoney Creek
- (a) which are connected to the Sewage System of the Regional Corporation, but
- (b) which are not connected to the Regional Waterworks System
- are to pay a surcharge as set forth in section 1 of Schedule "A" based on the non-metered water rate that would be applicable to his lands, if they were connected to the Regional Waterworks System and the surcharge is subject to the same collection procedures, discounts, interest and penalties as are set forth in section 4 hereof.

Town of Dundas, Town of Ancaster
and the Township of Flamborough

(2) The owner or occupant of lands in the Town of Dundas, in the Town of Ancaster and in the Township of Flamborough

(a) which are connected to the Sewage System of the Regional Corporation, but

(b) which are not connected to the Regional Waterworks System

are to pay a surcharge as set forth in section 1 of Schedule "A" that is based on the applicable minimum charge for water as set forth in sections 1 and 2 of Schedule "B" of The Waterworks By-Law and such rates are subject to the same discount for prompt payment as is set forth in section 2 of Schedule "A".

7. Schedule "A" attached hereto forms a part of this By-Law.

8. This By-Law is to be deemed to have come into force and effect on the 1st day of January, 1975.

ENACTED AND PASSED this day of , 1974..

Mrs. Joan M. Gallipeau
Clerk

Mrs. Anne H. Jones
Chairman

SCHEDULE "A"

SURCHARGE ON THE WATER RATE COMPRISED OF A
SANITARY SEWER RATE AND SANITARY SEWAGE SERVICE RATE

1. Surcharge as follows:

(a) Sanitary Sewer Rate.....55% of the gross amount of the
annual water rate

(b) Sanitary Sewage
Service Rate.....35% of the gross amount of the
annual water rate

TOTAL.....90% of the gross amount of the
annual water rate

Discount for Prompt Payment of Surcharge on Metered Water Rates

2. The surcharge which is comprised of a sanitary sewer rate and sanitary sewage service rate, as set forth in section 1 of this Schedule, is subject to a ten per cent (10%) discount if the bill therefor is paid on or before the discount date shown on the bill, which date is not to be less than ten (10) days from the date of the bill.

APPENDIX NO. 1

TERMS OF REFERENCE

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

REPORT ON
UNIFORM POLICIES AND BY-LAWS
RELATED TO
WATER AND SEWAGE FACILITIES
AND THE ESTABLISHMENT OF
RATES AND CHARGES FOR THESE FACILITIES

The Corporation of the Regional Municipality of Hamilton-Wentworth having assumed responsibility on January 1, 1974 for the supply and distribution of water and the collection and treatment of sewage in the new Regional Municipality of Hamilton-Wentworth now wishes to establish uniform policies and by-laws with regard to these facilities and also wishes to review the rate structure and charges for the use of these facilities.

The Consultant shall carry out the following work:

1. Waterworks

- a) Prepare detailed inventories of the policies, by-laws, rates and charges which were in effect in each 'water area' of each area municipality prior to the assumption of the water facilities by the Regional Corporation.
- b) Prepare detailed plans showing the extent of the existing 'water areas' in each area municipality at the time of assumption and also the possible extension of these 'water areas' based on the five year capital works budget prepared by the Commissioner of Engineering.
- c) Prepare new policies and by-laws for the consideration of the Corporation with respect to the supply of water and the management and maintenance of the waterworks systems.

- d) Review the water rates and charges in each 'water area' of each area municipality and prepare alternate rate structures for 'area rates' and 'regional rates' for the consideration of the Corporation. These rate structures should be related to the five year capital works budget prepared by the Commissioner of Engineering.

2. Sewage Works

- a) Prepare detailed inventories of the policies and by-laws which were in effect in each 'serviced area' of each area municipality prior to the assumption of the sewage facilities by the Regional Corporation.
- b) Prepare detailed plans showing the extent of the existing serviced areas in each area municipality at the time of assumption and the possible extension of the 'serviced areas' based on the five year capital works budget prepared by the Commissioner of Engineering.
- c) Prepare new policies and by-laws for the consideration of the Corporation with respect to the discharge of water and wastes into the sanitary sewage system.
- d) Review the rates to be imposed on and collected from all area municipalities to cover the cost of the regional expenditure for the maintenance, operation and debt service of the regional sewage systems in the area municipalities and prepare the necessary by-laws for the imposition of these sewage rates. These rates should be related to the five year capital works budget prepared by the Commissioner of Engineering.

3. General

- a) The consultant shall retain the services of Mr. George Yates, Legal Consultant to the Regional Corporation, to assist in the preparation of the by-laws.
- b) Prepare 20 copies of the draft report.
- c) After approval of the draft report prepare 100 copies of the final report for submission to the Regional Council.
- d) Maintain close liaison with the Commissioner of Engineering during all stages of the report.

APPENDIX NO. 2

MAPS OF SEWERAGE SERVICE AREAS

INDEX

General Plan	Plate No. 1
City of Hamilton	Plate No. 2
Town of Dundas	Plate No. 3
Town of Ancaster	Plate No. 4
Town of Stoney Creek	Plate No. 5
Township of Flamborough	Plate No. 6

The Regional Municipality of Hamilton-Wentworth

Existing Sewer Service Areas

- 1 City of Hamilton
- 2 Town of Stoney Creek
- 3 Town of Ancaster
- 4 Town of Dundas
- 5 Township of Flamborough



Existing Sewer Service Areas

City of Hamilton

Legend

----- Municipal Boundary

Sewer Sewer Areas



Scale

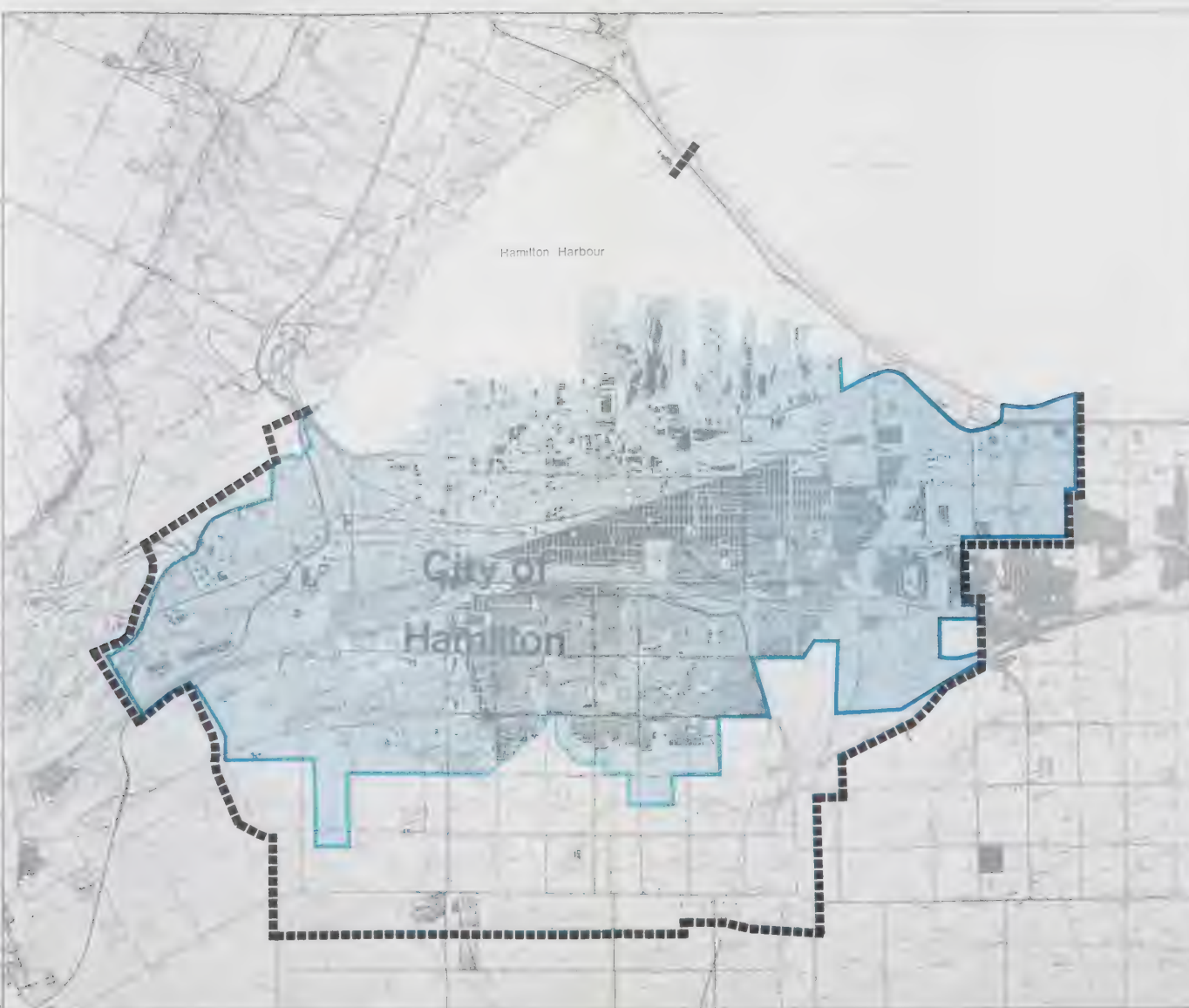
2,000' 0' 4,000'



Proctor & Redfern Limited

Consulting Engineers

Hamilton



Existing Sewer Service Areas

Town of Dundas

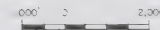
Legend

..... Municipal Boundary

 Sewer Service Area



Scale



Proctor & Redfern Limited

Consulting Engineers

Hamilton

Existing Sewer Service Areas

Town of Stoney Creek

Legend

..... Municipal Boundary

 Sewer Service Areas



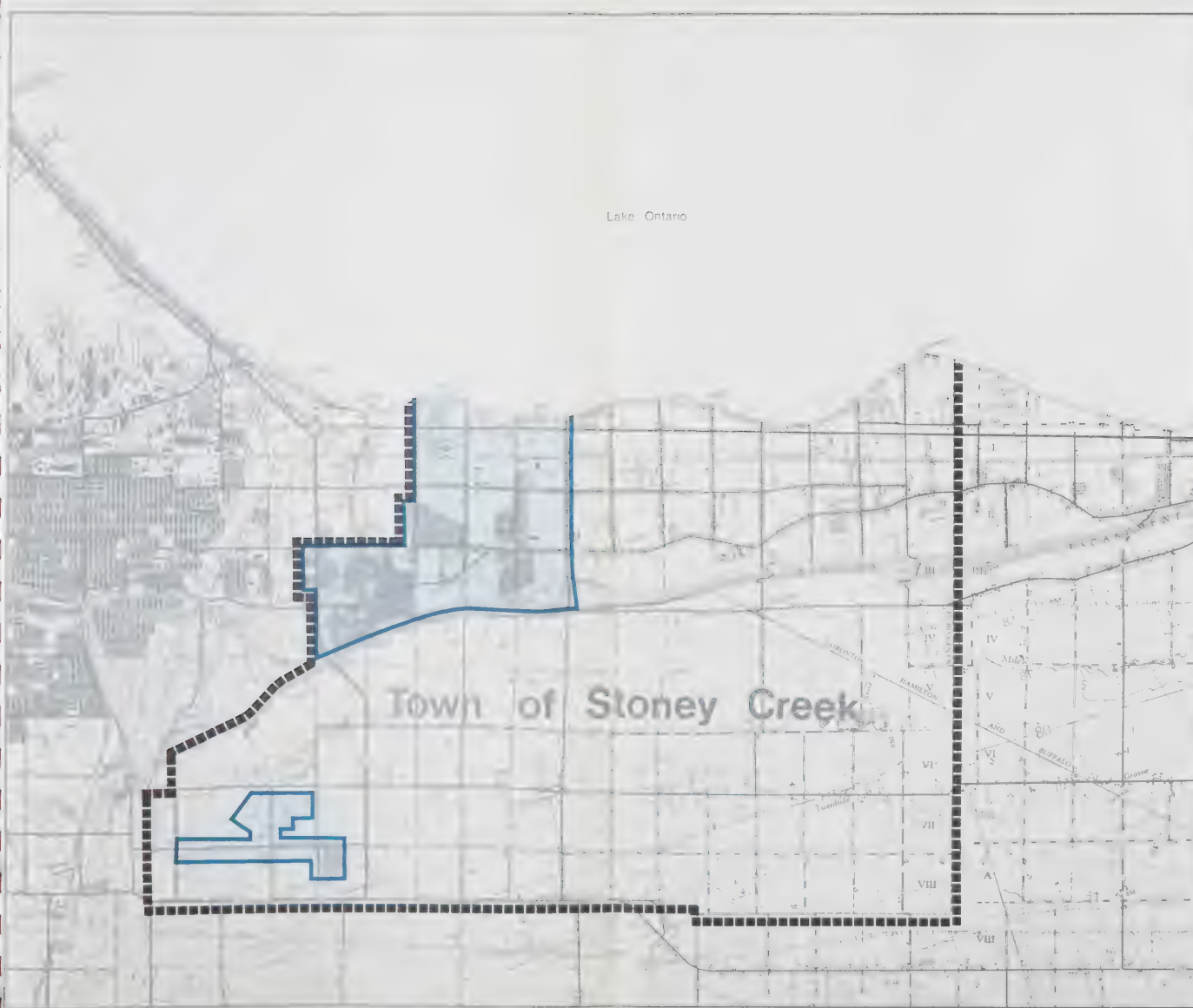
Scale



Proctor & Redfern Limited

Consulting Engineers

Hamilton



Existing Sewer Service Areas

Township of
Flamborough

Legend

..... Municipal Boundary

 Sewer Service Area



Scale



Proctor & Redfern Limited
Consulting Engineers

Hamilton



APPENDIX NO. 3

EXISTING SEWER USE BYLAWS

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City of Hamilton	A-3.2 - A-3.24
Town of Dundas	A-3.25 - A-3.27
Township of Ancaster	A-3.28 - A-3.47
Town of Stoney Creek	A-3.48 - A-3.61
Township of Saltfleet *	A-3.62 - A-3.71
Village of Waterdown **	A-3.72 - A-3.80
Township of Glanford	A-3.81 - A-3.82
Township of Binbrook *** - No. 926	A-3.83 - A-3.84
Township of Binbrook - No. 927	A-3.85 - A-3.86

* - Now part of Town of Stoney Creek

** - Now part of Township of Flamborough

*** - Now part of the Township of Glanford

THE CORPORATION OF THE CITY OF HAMILTON

SEWERS AND DRAINS

BY-LAW NO. 66-75

as amended by

By-Law Nos. 66-126, 68-102, 68-138, 71-152,

71-253, 72-64, 72-165, 73-39 and 73-318

This edition is prepared for purposes of convenience only,
and for accurate reference recourse should be had to the
following By-laws:

By-Law No. 66-75, passed February 22, 1966

By-law No. 66-126, passed April 26, 1966

By-Law No. 68-102, passed March 26, 1968

By-law No. 68-138, passed April 30, 1968

By-law No. 71-152, passed June 8, 1971

By-law No. 71-253, passed September 29, 1971

By-law No. 72-64, passed March 15, 1972

By-law No. 72-165, passed June 27, 1972

By-law No. 73-39, passed January 30, 1973

TABLE OF CONTENTS

1. Interpretation
2. Application of By-law
3. Administration and Enforcement
4. Where Sewer Connections Required
5. Connection Where Land Not Directly Served
6. Requirements Respecting Installation of Yard Sewers and Private Drain Connections
8. Where Grease Traps Required to Prevent Prohibited Discharges
9. Prohibited Discharges
10. Tests of Wastes
11. Waste Treatment by Corporation under Agreement
12. When Building Removed or Demolished
13. Filling up and Draining Vacant Lots
14. Miscellaneous Prohibitions
15. Where Work Done by Engineer
16. Penalties
17. Repeal

Schedule 'A'	Agreement Where Premises not Directly Served by Sewer
Schedule 'B'	Application for Permit
Schedule 'C'	Fees for Permits for Installations
Schedule 'D'	Locations for Discharge of Septic Tank
Schedule 'E'	Diagram -- Protection of Open End of Yard Sewer

THE CORPORATION OF THE CITY OF HAMILTON

SEWERS AND DRAINS

BY-LAW NO. 66-75

as amended by

By-law Nos. 66-126, 68-102, 68-138, 71-152, 71-253,
72-64, 72-165, 73-39

1. In this By-law,

- a). "area drain", "building drain", "building sewer", "building trap", "main sewer", "sewage" and other technical terms shall have the same meaning as they are given in the Regulations under The Ontario Water Resources Commission Act;
- b). "biochemical oxygen demand" means the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five days, properly controlled at 20° Centigrade, expressed in parts per million by weight;
- c). "catch basin" means a drain installed to collect surface water from an open area and to trap solids;
- d). "corporation" means The Corporation of the City of Hamilton;
- e). "pH" means the logarithm (to the base 10) of the reciprocal of the weight of hydrogen ions in grams per litre of solution;
- f). "private drain connections" means that part of a drainage system which connects a yard sewer to a main sewer and is situate within the limits of the highway, and "sanitary private drain connection" means a private drain connection to carry sewage but no rain, ground or surface water; and "storm water private drain connection" means a private drain connection to carry rain, ground or surface water and uncontaminated water but no sewage or other waste;

Administration and Enforcement

3. The city engineer shall be responsible for the administration and enforcement of this by-law.

Sewer Connections Required

4. Where a parcel of land abuts on a highway in which there is a main sewer to which such land may readily be drained, the owner shall install yard sewers and private drain connections in the manner hereinafter provided, for the drainage of the land to the main sewer, and where he fails to comply with this requirement the city engineer, after sixty days notice in writing addressed to the owner at his address according to the last revised assessment roll and mailed by prepaid first class mail, may install the same at the expense of the owner, and the cost shall be added to the collector's roll and collected as realty taxes are collected.

Connection Where Land Not Directly Served

5. (1) Where a parcel of land does not abut on a highway in which there is a main sewer to which such land may readily be drained, but there is some other sewer to which the land may readily be drained and for the cost of which such parcel has not been specially assessed, such parcel may be drained to such other main sewer upon the consent of city council and the execution and registration of an agreement in the form of Schedule 'A', appended hereto, and the owner of the land shall pay annually for a period of ten years, a special rate of one dollar and fifty cents (\$1.50) per foot of frontage of such land; and such special rate may be commuted for the sum of ten dollars (\$10.00) per foot frontage less any annual payments which have been made on account of principal. By-Law No. 72-64.

Provided that where any such land is charged with local improvement rates or other sewer construction rates at any time within such ten-year period, the remaining installments of the special rate shall be cancelled, and, where a payment has been made on commutation of such special rate, and the amount applicable to the unexpired portion of such ten-year period shall be refunded.

(2) All special rates shall be entered in the collector's roll and collected as realty taxes are collected.

Yard Sewers and Private Drain Connections

6. (1) Sanitary and Storm Water Yard Sewers and Private Drain Connections to be Separate. After the date of the passing of this By-law, no person shall install any yard sewer for the carriage of both sewage and rain, ground or surface water, but every owner, contractor or other person installing a yard sewer or a storm water yard sewer and so connected, and that every area drain and catch basin, and all subsurface drainage, is connected to the storm water yard sewer; and no person shall install any private drain connection for the carriage of both sewage and rain, ground or surface water, but every owner, contractor or other

person installing a private drain connection shall be responsible that it is either a sanitary private drain connection or a storm water private drain connection and so connected; but, notwithstanding the foregoing respecting private drain connections, where only a combined sewer is available, the two private drain connections shall nevertheless be kept separate, except where there is an existing private drain connection.

- (2) a). Where land is used for residential purposes, not more than,
 - (i) one single family or two family or three family dwelling or multiple dwelling, or
 - (ii) one dwelling of a pair of semi-detached dwellings, or
 - (iii) one lot or parcel or building or premises,shall be connected into one yard sewer or into one private drain connection.
- b). Notwithstanding clause (a) all dwellings within a row of attached dwellings may be connected into one private drain connection if the dwellings comply with the following conditions:
 - (i) each dwelling has its own separate building drain connected to a common yard sewer, and
 - (ii) all dwellings remain in the same ownership.
- c). Where land is used for non-residential purposes, not more than,
 - (i) one lot or dwelling, or
 - (ii) one lot under different ownership.shall be connected into one yard sewer or into one private drain connection connecting more than one lot.
- d). Notwithstanding clause (c), where a group of buildings are erected on one parcel of land under one ownership, all units or buildings may be connected into one private drain connection if each unit or building complies with the following conditions:
 - (i) each unit or building has its own separate building drain connected to a common yard sewer located outside the building, and
 - (ii) all units or buildings remain in the one ownership.
- e). Where any lot which is drained into a main sewer is subdivided, each part into which it is subdivided shall be drained by yard sewers and private drain connections which are not connected to any other land.

f). Notwithstanding clause (e), where the lot is used for other than industrial purposes, the existing private drain and yard sewers serving any building may be continued to be used for more than one parcel,

(i) if the building was constructed prior to 1955, and

(ii) if the main sewer to which the building is connected was constructed prior to 1955, and

(iii) if the owner enters into a standard form of agreement, to be registered on title, satisfactory to The Corporation of the City of Hamilton indemnifying The Corporation of the City of Hamilton.

g). Clause (f) does not apply to lots, the buildings upon which are,

(i) demolished in whole or in part,

(ii) reconstructed in whole or in part.

Permit and Bond, etc., Required

(3) a). With the exception of work done by duly authorized servants of the corporation, no person shall perform or commence any work of constructing, reconstructing, installing, altering or connecting the whole or any part of any yard sewer or private drain connection, or any appurtenance thereof, except pursuant to a permit signed by the city engineer or a duly authorized assistant and in accordance therewith. This permit shall not be issued until the person who is to do the work has deposited with the corporation an indemnity bond in satisfactory form, for the sum of \$1,000.00, for work performed during each year and for a period of two years after completion thereof; such bond to be by a surety company licensed to carry on business in Ontario.

The bond shall:

(i) indemnify the corporation against all damages, actions, costs and expenses it may pay, incur, or be put to by reason of any claim for damages or injury caused by the negligence of the said person or his agents or workman, or by want of repair during the period mentioned above;

(ii) guarantee payment to the corporation of the cost of all works and repairs rendered necessary by, or resulting from the performance of the work.

- b). No person shall perform or commence any work of repairing any part of any yard sewer or private drain connection except after he has furnished the corporation with the bond required by Section (3) (a), and after he has notified the city engineer.
- c). The person who is to do the work of constructing, reconstructing, installing, altering, repairing, or connecting to any yard sewer or private drain connection shall furnish the corporation with a certificate of insurance in the amount of \$100,000.00 for property damage and \$200,000.00 for public liability paid-up to a date subsequent to the date for completion of the work for which the permit is issued: such insurance to be by a company licensed to carry on business in Ontario.

(4) Application for Permit. Every application for a permit shall be in writing in the form of Schedule 'B', signed by the owner of the land to be drained, or by his agent duly authorized in writing, and shall show the name and address of the person who is to do the work, and shall be made by delivering the same to the office of the city engineer together with three copies of proper plans and specifications, a complete analysis of the wastes to be discharged to all yard sewers and private drain connections from industrial or commercial premises and a permit fee as shown in Schedule 'C'.

Provided that the city engineer may waive the requirement for plans, specifications and analysis wherever in his opinion they may safely be dispensed with.

(5) Location, etc., of Trench. Every yard sewer and private drain connection, throughout their length from the main sewer to the building or other place to be drained shall be laid, as nearly as practicable, in a straight line in a trench at a right angle from the main sewer and distant at least six feet (6') from any existing water service pipe that was installed prior to the installation of either the yard sewers, or private drain connections. The six feet (6') between trenches shall be measured horizontally between the closest parts of the water service pipe and the yard sewer or private drain connection. Only one storm water yard sewer and one storm water private drain connection and one sanitary yard sewer and one sanitary private drain connection shall be installed in one trench. By-law No. 68-102, S.1.

(6) Required Diameter. No person shall install any yard sewer or any private drain connection, of a capacity less than adequate, or of a diameter less than that of the building drain, or of a diameter less than six inches in any event; and no person shall connect any yard sewer to any building drain or to any private drain connection, where this requirement has not been complied with.

Standards for Pipe and Fittings

- (7) a). All pipe used for private drain connections shall meet the standards of that commonly used by the corporation for main sewers.

- b). No person shall perform or commence any work of repairing any part of any yard sewer or private drain connection except after he has furnished the corporation with the bond required by Section (3) (a), and after he has notified the city engineer.
- c). The person who is to do the work of constructing, reconstructing, installing, altering, repairing, or connecting to any yard sewer or private drain connection shall furnish the corporation with a certificate of insurance in the amount of \$100,000.00 for property damage and \$200,000.00 for public liability paid-up to a date subsequent to the date for completion of the work for which the permit is issued: such insurance to be by a company licensed to carry on business in Ontario.

(4) Application for Permit. Every application for a permit shall be in writing in the form of Schedule 'B', signed by the owner of the land to be drained, or by his agent duly authorized in writing, and shall show the name and address of the person who is to do the work, and shall be made by delivering the same to the office of the city engineer together with three copies of proper plans and specifications, a complete analysis of the wastes to be discharged to all yard sewers and private drain connections from industrial or commercial premises and a permit fee as shown in Schedule 'C'.

Provided that the city engineer may waive the requirement for plans, specifications and analysis wherever in his opinion they may safely be dispensed with.

(5) Location, etc., of Trench. Every yard sewer and private drain connection, throughout their length from the main sewer to the building or other place to be drained shall be laid, as nearly as practicable, in a straight line in a trench at a right angle from the main sewer and distant at least six feet (6') from any existing water service pipe that was installed prior to the installation of either the yard sewers, or private drain connections. The six feet (6') between trenches shall be measured horizontally between the closest parts of the water service pipe and the yard sewer or private drain connection. Only one storm water yard sewer and one storm water private drain connection and one sanitary yard sewer and one sanitary private drain connection shall be installed in one trench. By-law No. 68-102, S.1.

(6) Required Diameter. No person shall install any yard sewer or any private drain connection, of a capacity less than adequate, or of a diameter less than that of the building drain, or of a diameter less than six inches in any event; and no person shall connect any yard sewer to any building drain or to any private drain connection, where this requirement has not been complied with.

Standards for Pipe and Fittings

- (7) a). All pipe used for private drain connections shall meet the standards of that commonly used by the corporation for main sewers.

- b). In all cases the fittings used in the construction of private drain connections shall be equal in quality to the pipe used, and suitable for the type of pipe used,
- c). The storm water yard sewer and the storm water private drain connection shall be constructed of a grey-coloured material, and the sanitary yard sewer and sanitary private drain connection shall be constructed of a material having any colour other than grey.
- d). Every private drain connection shall be connected to a main sewer, using proper 'Y' fittings or suitable saddles.

(8) Slope. The slope of the yard sewers and private drain connections shall not be less than 1/8 of an inch per foot of pipe.

Installation

- (9) a). Every yard sewer and private drain connection shall be designed, constructed and installed in accordance with generally accepted good practice, with all joints completed with suitable materials and in a proper workmanlike manner, finished clean and smooth on both the outside and inside of the pipe, and, at the line of the highway, having the top of the pipe at least seven feet (7'-0") below the level of the finished surface of the roadway opposite that point, or at such higher elevation only as may be necessitated by the level of the main sewer. Wherever practicable the sewerage of the lands under different ownership shall be limited to one storm water private drain connection and one sanitary private drain connection.

(10) Yard Sewer Connection with Building Drain. No person shall connect any sanitary yard sewer to any building drain other than a sanitary building drain, or any storm water yard sewer to any building drain other than a storm water building drain.

(11) When Yard Sewer to be Installed. No person shall perform any work of installation of a yard sewer until:

- a). The main sewer is in operation and the private drain connection installed, and
- b). either the roof is on the building, or the upper end of the yard sewer is properly covered and protected in the manner shown in Schedule 'E'.

(12) Where Manhole Required. A manhole shall be constructed and installed by the owner at his own expense.

a). on every yard sewer carrying industrial waste, regardless of size. The Manhole:

(i) shall be located on the owner's property immediately adjacent to the line of the highway or at some other suitable location;

(ii) shall be designed, constructed and installed in accordance with generally accepted good practice; and

(iii) shall be readily accessible, and maintained in a safe condition by the owner of the property.

b). at the main sewer for every private drain connection have a diameter equal to or greater than 12 inches.

(13) Backfilling and Inspection. The owner of the lands shall be responsible that no part of a yard sewer or private drain connection shall be backfilled or hidden from view, until notice has been given to, and the work inspected by the city engineer or one of his duly authorized inspectors; and it shall be an offence for any person to backfill or hide any part of a yard sewer or private drain connection from view until there has been such notice and inspection.

(14) Use of Existing Private Drain Connections. An existing private drain connection shall not be used as the outlet for a new yard sewer until it has been determined by exposure at the line of the highway, that it is of adequate size, at proper depth, and in good condition.

(15) Parking Area Drainage. Every parking area shall be drained by catch basins and storm water yard sewers as follows, namely,

a). One catch basin for each 5000 to 7000 square feet of paved area; and

b). Each catch basin shall have a sump at least 18 inches deep, below the invert of the yard sewer, and shall be fitted with a suitable trap.

Responsibility for Maintenance of Yard Sewers and Private Drain Connections

7. The owner of lands drained into any main sewer shall, at his own full cost and expense,

a). properly maintain, repair and make necessary replacement of,

(i) any yard sewer, and

(ii) private drain connection;

- b). repair any roadway, sidewalk or curb that is,
 - (i) damaged by reason of faulty yard sewers and private drain connection, or either of them, or
 - (ii) disturbed by reason of the maintaining, repairing or replacement of the yard sewer and private drain connection, or either of them. By-law No. 71-253, S.1.

7.a. Notwithstanding Section 7, where the Corporation is satisfied that,

- a). the private drain connection is in such repair so as to be broken and,
- b). the repair of the break in the private drain connection is undertaken by a person to whom a permit is issued under subsection 3 of Section 6,

the Corporation may pay the expense incurred by the owner in the repair of the break in the private drain connection by the person to whom a permit is issued to the extent only of that part of the private drain connection. By-law No. 71-253, S.1.

Grease Traps Required

8. (1) Every person operating a restaurant business, public garage, metals plant or other establishment of any kind from which there is or is likely to be discharged into any sewer, any oil or grease contrary to this By-law shall install a suitable grease and oil trap effectual to prevent contravention of necessary for the purpose; provided this shall not apply to private living quarters.

(2) A grease and oil trap shall not be deemed to be suitable within the meaning of subsection 1 unless it is capable of intercepting and trapping grease, oil, flammable wastes, sand and other such ingredients, and is of adequate size.

(3) Every such grease and oil trap shall be so located as to be readily accessible for inspection and cleaning, and shall be kept in proper working order by the owner or operator of the establishment.

Prohibited Discharges

9. (1) No person shall discharge or permit the discharge of septic tank waste to the city's sewerage system, except in conformity as to time and place, with Schedule 'D'.

- a). Notwithstanding subsection 1, where an emergency exists, the corporation may, upon the advice and information of the City Engineer, allow discharge of septic tank wastes into the corporation's sewage system.

(2) To any Sewer or Drain, etc. No person shall discharge or allow the discharge of, directly or indirectly, into any sewer or drain, or into any land drainage works that are capable of discharging into any well, pond, reservoir, lake, spring, stream, river, or other water or watercourse, or other such place where the quality of the water may be impaired thereby, and

- a). liquid or vapour having a temperature of more than 150° Fahrenheit;
- b). gasoline, benzine, naphtha, fuel oil or other inflammable or explosive liquid.
- c). ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, plaster, wood, cellulose;
- d). animal waste other than human, such as hair, wool or fur, feathers, intestines, blood, parts of bodies or other such animal waste;
- e). matter having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property which may cause damage to the sewerage system, or injury to any person;
- f). waste capable of creating a public nuisance by reason of its noxious or malodorous qualities or otherwise;
- g). substance of such a kind or condition or in such quantity as to be capable of causing obstruction to the flow in the sewers or interfering with the proper operation of the sewerage system;
- h). atomic waste or radioactive materials;
- i). hair from barber shops, hairdressing establishments, wig-makers' shops or other such places; or
- j). blood or parts of human bodies from hospitals, medical school, blood donor clinics, undertakers' establishments or from any other places of any kind.

(3) To Any Sanitary Sewer or Combined Sewer. No person shall discharge or allow the discharge of, directly or indirectly, into any sanitary sewer or into any combined sanitary and storm sewer, any

- a). matter which may contain more than 100 parts per million by weight of fat, oil or grease of animal or vegetable origin, or more than 10 parts per million by weight, or oil or grease of mineral origin;

- b). matter containing suspended solids exceeding 350 parts per million by weight;
- c). matter in which the five-day biochemical oxygen exceeds 300 parts per million by weight;
- d). matter containing any toxic or poisonous substance of such a nature and in a concentration or quantity which might interfere with or prejudice any sewage treatment process or which might constitute a danger to humans or other animals or impair the quality of the water in any lake or other body of water to which the effluent from the sewage treatment plant is discharged; and without restricting the general application of the foregoing, any of the following materials in greater concentration by weight than indicated following are within the meaning of this clause, namely

Chromium as "Cr"	3 parts per million
Cyanide as "HCN"	2 parts per million
Phenol or equivalent	50 parts per billion
Copper as "Cu"	1 part per million
Zinc as "Zn"	1 part per million
Nickel as "Ni"	1 part per million
Cadmium as "Cd"	1 part per million;

or

- e). garbage, provided however, that the city engineer may give consent in writing signed, subject to revocation at any time without notice, for the installation of a hydraulic garbage shredder in any premises wherever he is satisfied that the capacity of the main sewer and the flow in the same is such that there is no likelihood of any accumulation in the main sewer.
By-law No. 66-126, S.1.

(4) To Any Sanitary Sewer. No person shall discharge or allow the discharge of, directly or indirectly into any sanitary sewer, any storm water, surface water, ground water, roof run-off, sub-surface drainage or any uncontaminated water.

(5) To Any Storm Sewer. No person shall discharge or allow the discharge of, directly or indirectly into any storm sewer, any

- a). liquid which may contain more than 10 parts per million by weight of fat, oil, grease, or other matter that is soluble in either;
- b). matter of such a nature and in such concentration or quantity as may cause death or injury to any person, fish, animal or bird, or damage to any property;

- c). matter containing suspended solids exceeding 20 parts per million by weight, or which will not readily pass through a quarter-inch screen;
- d). matter in which the five-day biochemical oxygen demand exceeds 20 parts per million by weight;
- e). coloured matter from which the colour is not capable of being removed, or from which the colour is not capable of being substantially dispersed by adding as little as 4 parts of water without colour to one part of the coloured matter;
- f). matter containing any toxic or poisonous substance of such nature and in a concentration or quantity which might be dangerous to marine or vegetable life in any lake or other body of water into which the storm sewer discharges; and without restricting the general application of the foregoing, any of the following materials in greater concentration by weight than indicated following are within the meaning of this clause, namely,

Phenolic Equivalents	20 parts per billion
Cyanides as "HCN"	0.1 parts per million
Cadmium as "Cd"	1.0 parts per million
Chromium as "Cr"	1.0 parts per million
Copper as "Cu"	3 parts per million
Zinc as "Zn"	15 parts per million
Iron as "Fe"	17 parts per million
Chlorides as "Cl"	1500 parts per million
Sulphates as "SO4"	1500 parts per million

- g). matter in which the median coliform count exceeds 2400 hundred millilitres; or
- h). garbage.

Test of Wastes

10. All measurements, tests and analysis of the characteristics of water and waste shall be determined in accordance with standard methods.

Waste Treatment Under Agreement with Corporation

11. Where the waste discharged from any premises is in contravention of section 9, the owner or other person in charge shall be responsible that there is provided the necessary treatment of such waste to make the same conform to the requirements of this By-Law, or shall bear the cost of necessary treatment by the corporation where that is feasible and the corporation by agreement in writing undertakes such treatment.

When Building Removed or Demolished

12. When a building is removed or demolished the owner shall be responsible that every private drain connection is exposed at the line of the highway and reasonable notice given to the City engineer so that it may be inspected; and if the same meets the requirements of this By-Law and is in good condition, the owner shall be responsible that it is properly plugged at the line of the highway, and that otherwise it is disconnected at the main sewer and the junction with the main sewer properly plugged: all such work to be done by a bonded contractor.

Filling Up and Draining Vacant Lots

13. The owner of any ground, yard, or vacant lot shall be responsible to clean and clear, and either fill up or drain the same.

Miscellaneous Prohibitions

14. (1) Obstructing Watercourses.

No person shall obstruct any drain or watercourse, or allow the obstruction of the same, or maintain any obstruction therein.

- a). The corporation may in writing require the owner of the lands or any other person, obstructing or allowing the obstruction of, or maintaining the obstruction of any drain or watercourse, to do all such work as the corporation determines is necessary to remove the obstruction.
- b). Where the owner or other person is required to do the work referred to in subsection (1 a), the work shall be done within the time specified in the written requirement.
- c). For the purpose of subsections (1 a) and (1 b), the corporation shall specify the obstruction.

(2) Damaging or Obstructing Sewer

No person shall do anything likely to damage or obstruct any part of the sewerage system of the corporation.

(3) Tampering, etc.

No unauthorized person shall tamper with any part of the sewerage system, or enter into any main sewer or other part of the sewerage system.

Where Works to be Done by Engineer

15. Whenever any work required by this By-Law to be done is not done, or is not done in accordance with the By-Law, the city engineer may cause it to be properly done, and the amount of the expense incurred in doing it shall be added to the collector's roll and collected as realty taxes are collected. By-Law 72-165, S.4.

- a). No permit shall be issued for any work that is not permitted by this By-Law.

Penalty

16. Every person found guilty of contravening any provision of this By-Law is liable to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.

SCHEDULE 'A'

(Referred to in Section 5 (1) of By-Law No.....Respecting Sewers and Drains)

Number

AGREEMENT made in triplicate thisday of
.....A.D. 19.....

BETWEEN

.....
hereinafter called the Owner

- and -

THE CORPORATION OF THE CITY OF HAMILTON
hereinafter called the City

WHEREAS the Owner has represented that he is the owner of a certain parcel of land abutting on theside of
.....and more particularly described in Schedule 1 hereto attached, and in which said highway there is no sanitary sewer or storm water sewer, and the said Owner has applied for permission to install private drain connections from yard sewers in the said parcel of land to the main sewers in

AND WHEREAS the City has granted such permission upon the terms and conditions hereinafter set forth;

WHEREFORE THIS AGREEMENT WITNESSETH, that in consideration of the City's issuance of a permit to install private drain connections from the yard sewers in the parcel of land more particularly described in Schedule 1 hereto, to the main sewers in.....
....., the Owner, for himself and his successors in title to the said parcel of land, covenants and agrees,

1. To pay an annual rental as provided in the City's By-Law No..... Respecting Sewers and Drains, for the privilege of draining said parcel to the sewer in

2. To forego any claim for damages from backwater from the said sewer in

3. Not to petition against or oppose the construction of a main sewer in any highway upon which any part of the said parcel of land abuts, and the whole or part of the expense of installing which main sewer is to be specially assessed against the said parcel; and that if his name or the name of any of his successors in title appear on any such petition the same may be disregarded in determining the number of owners petitioning against any such proposed work and in determining the value of the lands to be specially assessed;

4. To disconnect every yard sewer in the said parcel from the private drain connections to the sewers in
..... when any main sewer of a kind to which such yard sewer is permitted by the said By-law to be connected, is laid in any highway immediately in front of or alongside the said parcel, and to connect such yard sewers to private drain connections to such new sewers.

5. The covenants herein contained shall be binding upon the Owner and his successors in title and shall be covenants running with the land.

IN WITNESS WHEREOF the Owner has hereunto set his hand and seal.

Signed, Sealed and Delivered
in the presence of

3. Not to petition against or oppose the construction of a main sewer in any highway upon which any part of the said parcel of land abuts, and the whole or part of the expense of installing which main sewer is to be specially assessed against the said parcel; and that if his name or the name of any of his successors in title appear on any such petition the same may be disregarded in determining the number of owners petitioning against any such proposed work and in determining the value of the lands to be specially assessed;

4. To disconnect every yard sewer in the said parcel from the private drain connections to the sewers in
..... when any main sewer of a kind to which such yard sewer is permitted by the said By-law to be connected, is laid in any highway immediately in front of or alongside the said parcel, and to connect such yard sewers to private drain connections to such new sewers.

5. The covenants herein contained shall be binding upon the Owner and his successors in title and shall be covenants running with the land.

IN WITNESS WHEREOF the Owner has hereunto set his hand and seal.

Signed, Sealed and Delivered
in the presence of

APPLICATION FOR PERMIT
(Referred to in Section 6 (3) and (4))

in the City of Hamilton, hereby applies for a permit to perform the following work, namely,

A-3.21

SCHEDULE 'C'

Schedule of Fees for Sewer Permits (Referred to in Section 6 (4))

Basic fee for any permit \$10.00

And in addition to the basic fee: -

For a sanitary yard sewer and a sanitary private drain
connection, or for either one individually\$ 3.00

For a storm water yard sewer and a storm water private
drain connection, or for either one individually\$ 3.00

For a lateral connection to a yard sewer\$ 2.00

For a catch basin including connection to a storm water
yard sewer \$ 2.00

SCHEDULE 'D'

Locations, etc. for Discharge of Septic Tank Wastes

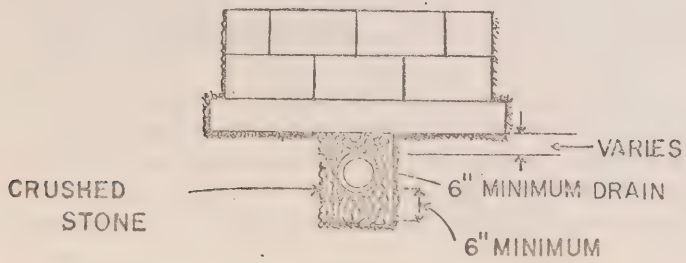
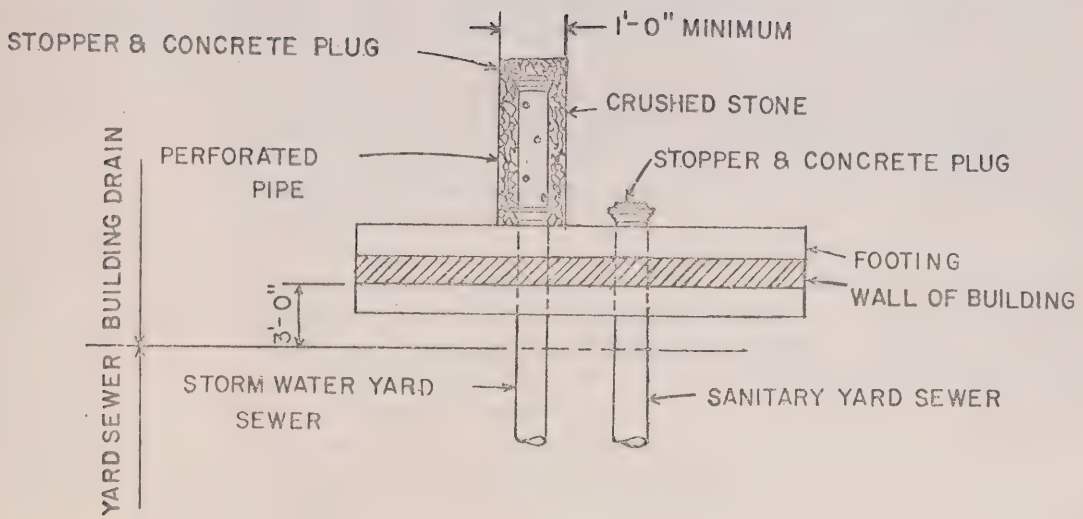
(Referred to in Section 9 (1))

Location	Time
1. Repealed by By-Law No. 72-165, S.5	
2. City of Hamilton Sewage Treatment Plant 700 Woodward Avenue 8:00 a.m. to 6:00 p.m.	

SCHEDULE 'E'

PROTECTION OF OPEN END OF YARD SEWER

(REFERRED TO IN SECTION 6 (II))



TOWN OF DUNDAS

BY-LAW NO. 2174

AS AMENDED BY BY-LAW NO. 2267

TO PROHIBIT and regulate the discharge of sewage into land drainage works and connections to any sewer, sewer system or sewage works, whether connected to a treatment works or not.

WHEREAS by Section 379, Subsection 1, paragraph 125, of the Municipal Act, R.S.O. 1960, chapter 249, by-laws may be passed by the Councils of local Municipal Councils for prohibiting and regulating the discharge of any gaseous, liquid or solid matter into land drainage works, private branch drains and connections to any sewer, sewer system or sewage works for the carrying away of domestic sewage or industrial wastes or both, whether connected to a treatment works or not.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF DUNDAS ENACTS AS FOLLOWS:

1. No person shall place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the Town of Dundas any human or animal excrement, garbage or other objectionable waste except as approved by the Wentworth County Health Unit.
2. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer.
- 2(a) No discharge of storm water run off from paved areas and or roofs shall be introduced into the sanitary sewers in the Town of Dundas, neither shall the discharge of storm water run off from paved areas and or roofs take place on to roads or road allowances within the Town of Dundas unless provision is made for proper storm water drainage to the satisfaction of the Town Engineer.
3. Where a public sanitary sewer is not available the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Wentworth County Health Unit. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.
4. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer when a complaint in respect to a private sewage disposal system has been received and an unsanitary condition confirmed by the Wentworth County Health Unit. Such connection to the public sanitary sewer shall be made at the expense of the owner and within sixty days after receipt of the confirmation of an unsanitary condition from the Wentworth County Health Unit. If the owner fails to connect to the public sanitary sewer within the sixty days aforesaid the connection may be made by the Corporation and the charge therefore shall constitute a charge against the lands of the owner and may be collected in the same manner and at the same time as taxes.

5. Any person who contravenes the provisions of Sections 1, 2, 2(a), and 3, of this by-law shall be guilty of an offence and upon conviction therefore shall be liable to a fine of not more than \$300.00, exclusive of costs which shall be recoverable under the provisions of the Summary Convictions Act.

PASSED this 17th day of September, A.D., 1965.

L.B. Couldrey
.....
MAYOR

G.A. Corner
.....
CLERK

TOWN OF DUNDAS

BY-LAW NO. 1935

A BY-LAW to provide for the inspection of sanitary sewer private drain connections and charging a fine for the same.

WHEREAS clause 81 of Subsection 1 of Section 379 of The Municipal Act, R.S.O. 1960, chapter 249 provisions that by-laws may be passed for making regulations for sewage and drainage that may be deemed necessary for sanitary purposes.

AND WHEREAS clause 83a of the aforesaid Subsection provides that by-laws may be passed for charging a fee for the inspection of sewers.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF DUNDAS ENACTS AS FOLLOWS:

1. That the Owner of land on which a sewer private drain connection is to be installed, or if a contractor is to make the installation, the contractor, shall before commencing the work, make application to the Treasurer's office for a permit for same.
2. That the excavation made for the installation of the sewer private drain connection shall not be backfilled until the installation of the sewer pipe has been inspected by the Town Engineer or by some other employee appointed by the Town Engineer.
3. That the Fee for the inspection mentioned in clause 2 of this by-law shall be Three Dollars (\$3.00) which shall be payable at the time the application is made and the permit issued.
4. That this by-law shall be interpreted as referring to a sewer private drain connection between the street line and the entry point in the exterior wall of the building to which the connection is being made.
5. That any person convicted of a breach of the provisions of this by-law shall forfeit and pay, at the discretion of the convicting magistrate, a penalty not exceeding (exclusive of costs) the sum of \$200.00 for each offence, and every such penalty shall be recoverable under the Summary Convictions Act, all of the provisions of which shall apply, except that the imprisonment may be for any term not exceeding six months.
6. That this by-law shall come into effect on the day of passing thereof.

PASSED this 17th day of April, A.D., 1961.

.....
MAYOR

G. A. Corner
.....
CLERK

THE CORPORATION OF THE TOWNSHIP OF ANCASTER

BY-LAW NO. 71-2374

RESPECTING SEWERS AND DRAINS
IN THE TOWNSHIP OF ANCASTER

WHEREAS the Council of The Corporation of the Township of Ancaster, subject to the provisions of The Ontario Water Resources Commission Act, is authorized by the provisions of The Planning Act and The Municipal Act to make regulations for sewage or drainage that are considered necessary for sanitary purposes, as therein more particularly provided, and

WHEREAS various recommendations have been made by the Township Engineer and adopted by the Council, for the better regulation of sewage and drainage, and especially that a By-Law to regulate sewers and drains be passed by the Council of The Corporation of the Township of Ancaster.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ANCASTER ENACTS AS FOLLOWS:

INTERPRETATION

1. In this By-Law

- (a) "area drain", "building drain", sewage" and other technical terms have the same meaning in this By-Law as they are given in the Regulations under The Ontario Water Resources Commission Act, and
- (b) "biochemical oxygen demand", means the quality of oxygen used in the biochemical oxidation of **organic** matter under standard laboratory procedure in five days, properly controlled at 20° Centigrade, expressed in parts per million by weight, and
- (c) "catch basin", means a drain installed to collect surface water from an open area and to trap solids, and
- (d) "Council", means the Council of The Corporation of the Township of Ancaster, and
- (e) "Corporation", means The Corporation of the Township of Ancaster, and
- (f) "pH", means the logarithm (to the base 10) of the reciprocal of the weight of hydrogen ions in grams per litre of solution, and
- (g) "private drain connection", means that part of a drainage system which connects a yard sewer to a main sewer and is situate within the limits of the highway, and "sanitary private drain connection" means a private drain connection to carry sewage but no rain, ground or surface water; and uncontaminated water but no sewage or other waste, and

- (h) "sanitary building drain" means a building drain to carry sewage but no rain, ground or surface water, and
- (i) "sanitary sewer" means a sewer to carry sewage but no rain, ground or surface water, and
- (j) "sanitary yard sewer" means a yard sewer to carry sewage but no rain, ground or surface water, and
- (k) "standard methods" means the examination and analytical procedures set forth in the 11th edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly in 1960 by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation, and
- (l) "storm sewer" means a sewer to carry rain, ground or surface water, but no sewage or other waste, and
- (m) "storm water building drain" means a building drain to carry rain, ground or surface water and uncontaminated water, but no sewage or other waste, and
- (n) "storm water yard sewer" means a yard sewer to carry rain, ground or surface water and uncontaminated water, but no sewage or other waste, and
- (o) "suspended solids" means solids that either float on the surface of or are in suspension in, water, sewage, or other liquid, and which are removable by laboratory filtering, and
- (p) "Township Engineer" means the Engineer employed from time to time by the Corporation, and
- (q) "yard sewer"
 - (i) means that part of a drainage system outside a building commencing at a point three (3) feet from the outer face of the wall of a building drain to a private drain connection or to any other place of disposal, or
 - (ii) means that part of a drainage system between a catch basin and a private drain connection or other place of disposal, and
 - (iii) includes a building sewer except that part within the limits of the highway.

APPLICATION OF BY-LAW

2. Nothing in this By-Law is to be so construed as permitting anything which by the provisions of any applicable Statute or Regulation is prohibited.

REQUIREMENTS RESPECTING YARD SEWERS
AND PRIVATE DRAIN CONNECTIONS

Sanitary and Storm Water
Yard Sewers and Private
Drain Connections are to
be Separate.

6. (1) After the date of the passing of this By-Law,
- (a) no person is to install any yard sewer for the carriage of both sewage and rain, ground or surface water, but every owner, contractor or other person installing a yard sewer is to be responsible that it is either a sanitary yard sewer or a storm water yard sewer and so connected, and that every area drain and catch basin, and all subsurface drainage, is connected to the storm water yard sewer, and
 - (b) no person is to install any private drain connection for the carriage of both sewage and rain, ground or surface water, but every owner, contractor or other person installing a private drain connection is to be responsible that it is either a sanitary private drain connection and so connected, but

notwithstanding the foregoing respecting private drain connections, where only a combined sewer is available, the two private drain connections are nevertheless to be kept separate, except where there is an existing private drain connection.

Separate Connections for
Separate Premises.

- (2) Subject to subsection (2) of this section, no permit is to be issued for connecting into one yard sewer or into one private drain connection, more than one single-family, two-family or three-family dwelling or multiple dwelling, or more than one dwelling of a pair of semi-detached dwellings or of a row of dwellings, or more than one lot, building or premises, or two or more parcels under different ownership; and the making of any such connection or the permitting of the making of it by any owner, contractor or other person is an offence against this By-Law; and when any parcel of land which is drained to a main sewer is subdivided, each part into which it is subdivided is to be drained by yard sewers and private drain connections which are not connected to any other land.
- (3) Where a row of attached dwellings are at a right angle or approximately at a right angle to the street in which is the main sewer to which they are to be drained, all will be allowed to connect into one private drain connection, so long as each house has its own separate building drain connected to a common yard sewer, and so long as all the houses remain in the same ownership.

Permit and Bond,
etc., Required.

- (4) With the exception of work done by duly authorized servants of the Corporation, no person is to perform or commence any work of constructing, reconstructing, installing, altering or connecting the whole or any part of any yard sewer or private drain connection, or any appurtenance thereof, except pursuant to a permit signed by the Township Engineer or a duly authorized assistant and in accordance therewith.
- (5) The permit referred to in subsection (3) of this section is not to be issued until the person who is to do the work has deposited with the Corporation an indemnity bond in satisfactory form, for the amount of 50% of the value of the work performed during each year and for a period of two (2) years after completion thereof. Such bond to be by a surety company licensed to carry on business in Ontario. The bond is to
 - (a) indemnify the Corporation against all damages, actions, costs and expenses it may pay, incur, or be put to by reason of any claim for damages or injury caused by the negligence of the said person or his agents or workmen, or by want of repair during the period mentioned above, and
 - (b) guarantee payment to the Corporation of the cost of all works and repairs rendered necessary by, or resulting from the performance of the work.
- (6) No person is to perform or commence any work of repairing any part of any yard sewer or private drain connection except after he has furnished the Corporation with the bond required by subsection (4), and after he has notified the Township Engineer.
- (7) The person who is to do the work of constructing, reconstructing, installing, altering, repairing, or connecting to any yard sewer or private drain connection is to furnish the Corporation with a certificate of insurance in the amount of \$100,000.00 for property damage and \$200,000.00 for public liability paid-up to a date subsequent to the date for completion of the work for which the permit is issued; such insurance to be by a company licensed to carry on business in Ontario.

- NOTE: (1) Only licensed drain layers may do such work, - see Council's By-Law To License Construction Trades.
- (2) If any excavation in the highway is involved, a separate permit to do so is required by the Streets By-Law.

Application for
Permit.

(8) Every application for a permit

- (a) is to be in writing in the form of Schedule "B", signed by the Owner of the land to be drained, or by his agent duly authorized in writing, and
- (b) is to show the name and address of the person who is to do the work, and
- (c) is to be made by delivering the same to the office of the Township Engineer together with proper plans and specifications, a complete analysis of the wastes to be discharged to all yard sewers and private drain connections from industrial or commercial premises and a permit fee as shown in Schedule "C".

The Township Engineer may waive the requirement for plans, specifications and analysis wherever in his opinion they may safely be dispensed with.

Location, etc.,
of Trench.

- (9) Every yard sewer and private drain connection, throughout their length from the main sewer to the building or other place to be drained is to be laid, as nearly as practicable, in a straight line in a trench at a right angle from the main sewer and distant at least six feet (6') from any existing water service pipe that was installed prior to the installation of either the yard sewers or private drain connections. The six feet (6') between trenches is to be measured horizontally between the closest parts of the water service pipe and the yard sewer or private drain connection. Only one storm water yard sewer and one storm water private drain connection and one sanitary yard sewer and one sanitary private drain connection is to be installed in one trench.

Required Diameter.

(10) No person is to

- (a) install any yard sewer or any private drain connection, of a capacity less than adequate, or of a diameter less than that of the building drain, or of a diameter less than six inches in any event, and
- (b) connect any yard sewer to any building drain or to any private drain connection, where this requirement has not been complied with.

Standards for Pipe
and Fittings.

(11) In all cases

- (a) all pipe used for private drain connections is to meet the standards of that commonly used by the Corporation for main sewers, and
- (b) the fittings used in the construction of private drain connections is to be equal in quality to the pipe used, and
- (c) the storm water yard sewer and the storm water private drain connection are to be constructed of a grey-coloured material, and the sanitary yard sewer and sanitary private drain connection is to be constructed of a material having any colour other than grey, and
- (d) every private drain connection is to be connected to a main sewer, using proper Y fittings or suitable saddles.

Slope.

- (12) The slope of the yard sewers and private drain connections is to be not less than one-eighth ($1/8$) of an inch per foot of pipe.

Installation.

(13) In all cases

- (a) every yard sewer and private drain connection are to be designed, constructed and installed in accordance with generally accepted good practice, with all joints completed with suitable materials and in a proper workmanlike manner, finished clean and smooth on both the outside and inside of the pipe, and, at the line of the highway, having the top of the pipe at least seven feet (7'0") below the level of the finished surface of the roadway opposite that point, or at such higher elevation only as may be necessitated by the level of the main sewer, and
- (b) wherever practicable the sewerage of lands under different ownership is to be limited to one storm water private drain connection and one sanitary private drain connection, and

- (c) wherever possible, every yard sewer is to be installed at an elevation below the basement floor. In every building in which a building drain is too low to permit gravity flow to the main sewer, the sewage or storm water is to be lifted by suitable means and discharged to the appropriate yard sewer.

Yard Sewer Connection
with Building Drain.

- (14) No person is to connect any sanitary yard sewer to any building drain other than a sanitary building drain, or or any storm water yard sewer to any building drain other than a storm water building drain.

When Yard Sewer
to be Installed.

- (15) No person is to perform any work of installation of a yard sewer, until
 - (a) the main sewer is in operation and the private drain connection installed, and
 - (b) either the roof is on the building, or the upper end of the yard sewer is properly covered and protected in the manner shown in Schedule "D".

Where Manhole
Required.

- (16) A manhole is to be constructed and installed by the owner at his own expense,
 - (a) on every yard sewer carrying industrial waste, regardless of size, which manhole
 - (i) is to be located on the owner's property immediately adjacent to the line of the highway or at some other as suitable location, and
 - (ii) is to be designed, constructed and installed in accordance with generally accepted good practice, and
 - (iii) is to be readily accessible, and maintained in a safe condition by the owner of the property, and
 - (b) at the main sewer for every private drain connection having a diameter equal to or greater than twelve (12) inches.

Backfilling and Inspection.

- (17) The owner of the lands is responsible that no part of a yard sewer or private drain connection is backfilled or hidden from view, until notice has been given to, and the work inspected by the Township Engineer or one of his duly authorized inspectors. No person is to backfill or hide any part of a yard sewer or private drain connection from view until there has been such notice and inspection.

NOTE: In the Regulations under The Ontario Water Resources Commission Act, "drainage piping" includes a building sewer, and Part III regulates sewage systems. Inspection and testing procedures are also dealt with.

NOTE: The above-mentioned Act and Regulations do not require separate building sewers for sanitary and storm water purposes, as does this By-Law.

Use of Existing Private Drain Connections.

- (18) An existing private drain connection is not to be used as the outlet for a new yard sewer until it has been determined by exposure at the line of the highway, that it is of adequate size, at proper depth, and in good condition.

Parking Area Drainage.

- (19) Every parking area is to be drained by catch basins and storm water yard sewers as follows,
- (a) one catch basin for each five thousand (5000) to seven thousand (7000) square feet of paved area, and
 - (b) each catch basin
 - (i) is to have a sump at least 18 inches deep, below the invert of the yard sewer, and
 - (ii) is to be fitted with a suitable trap.

RESPONSIBILITY FOR MAINTENANCE OF YARD SEWERS AND PRIVATE DRAIN CONNECTIONS

7. The owner of lands drained into any main sewer is responsible for the proper maintenance, repair and necessary replacement at his own expense, of the yard sewers and private drain connections, and the repair of any roadway, sidewalk or curb that is damaged by reason of faulty yard sewers or private drain connections, or that is disturbed in the maintaining, repairing or replacing the same.

WHERE GREASE TRAPS REQUIRED
TO PREVENT PROHIBITED DISCHARGES

8. (1) Every person operating a restaurant business, public garage, metals plant or other establishment of any kind from which there is or is likely to be discharged into any sewer, any oil or grease contrary to this By-Law is to install a suitable grease and oil trap effectual to prevent contravention of this By-Law, and execute such other works and do such other things as may be necessary for the purpose but this does not apply to private living quarters.
- (2) A grease and oil trap is not suitable within the meaning of subsection 1 of this section unless it is capable of intercepting and trapping grease, oil, flammable wastes, sand and other such ingredients, and is of adequate size.
- (3) Every such grease and oil trap is to be so located as to be readily accessible for inspection and cleaning, and shall be kept in proper working order by the owner or operator of the establishment.

PROHIBITED DISCHARGES

To Any Sewer or
Drain, etc.

9. (1) No person is to discharge or allow the discharge of, directly or indirectly, into any sewer or drain, or into any land drainage works, or any of the following which are capable of discharging into any well, pond, reservoir, lake, spring, stream, river or other water or watercourse, or other such place where the quality of the water may be impaired thereby,
- (a) liquid or vapour having a temperature of more than 150° Fahrenheit, or
- (b) gasoline, benzene, naptha, fuel oil or other inflammable or explosive liquid, or
- (c) ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, plaster, wood, cellulose, or
- (d) animal waste other than human, such as hir, wool, or fur, feathers, intestines, blood, parts of bodies or other such animal waste, or
- (e) matter having a pH lower than five point five (5.5) or higher than nine point five (9.5) or having any other corrosive property which may cause damage to the sewerage system, or injury to any person, or
- (f) waste capable of creating a public nuisance by reason of its noxious or malodourous qualities or otherwise, or

- (g) substance of such a kind or condition or in such quantity as to be capable of causing obstruction to the flow in the sewers or interfering with the proper operation of the sewerage system, or
- (h) atomic waste or radioactive materials, or
- (i) hair from barber shops, hairdressing establishments, wig-makers' shops or other such places, or
- (j) blood or parts of human bodies from hospitals medical schools, blood donor clinics, undertakers' establishments or from any other places of any kind.

To Any Sanitary Sewer
or Combined Sewer

- (2) No person is to discharge or allow the discharge of, directly or indirectly, into any sanitary sewer or into any combined sanitary and storm sewer, any of the following
 - (a) matter which may contain more than one hundred (100) parts per million by weight, of fat, oil or grease of animal or vegetable origin, or more than ten parts per million by weight, of oil or grease of mineral origin, or
 - (b) matter containing suspended solids exceeding three hundred and fifty (350) parts per million by weight, or
 - (c) matter in which the five-day biochemical oxygen demand exceeds three hundred (300) parts per million by weight, or
 - (d) matter containing any toxic or poisonous substance of such a nature and in a concentration or quantity which might interfere with or prejudice any sewage treatment process or which might constitute a danger to humans or other animals or impair the quality of the water in any lake or other body of water to which the effluent from the sewage treatment plant is discharged and, without restricting the general application of this section, any of the following materials in greater concentration by weight than as herein indicated,
 - (i) Chromium as "Cr" - 3 parts per million, and
 - (ii) Cyanide as "HCN" - 2 parts per million, and
 - (iii) Phenol or equivalent - 50 parts per billion, and
 - (iv) Copper as "Cu" - 1 part per million, and
 - (v) Zinc as "Zn" - 1 part per million, and
 - (vi) Nickel as "Ni" - 1 part per million, and
 - (vii) Cadmium as "Cd" - 1 part per million, or

- (e) garbage, but the Township Engineer may give consent in writing signed, subject to revocation at any time without notice, for the installation of a hydraulic garbage shredder in any premises wherever he is satisfied that the capacity of the main sewer and the flow in the same is such that there is no likelihood of any accumulation in the main sewer.

To Any Sanitary Sewer.

- (3) No person is to discharge or allow the discharge of directly or indirectly into any sanitary sewer, any storm water, surface water, ground water, roof run-off, sub-surface drainage or any uncontaminated water.

To Any Storm Sewer.

- (4) No person is to discharge or allow the discharge of, directly or indirectly into any storm sewer of any of the following,
 - (a) liquid which may contain more than ten (10) parts per million by weight of fat, oil, grease or other matter that is soluble in either, or
 - (b) matter of such a nature and in such concentration or quantity as may cause death or injury to any person, fish, animal or bird, or damage to any property, or
 - (c) matter containing suspended solids exceeding twenty (20) parts per million by weight, or which will not readily pass through a quarter-inch screen, or
 - (d) matter in which the five-day biochemical oxygen demand exceeds twenty (20) parts per million by weight, or
 - (e) coloured matter from which the colour is not capable of being removed, or from which the colour is not capable of being substantially dispersed by adding as little as four (4) parts of water without colour to one part of the coloured matter, or
 - (f) matter containing any toxic or poisonous substance of such a nature and in a concentration or quantity which might be dangerous to marine or vegetable life in any lake or other body of water into which the storm sewer discharges and, without restricting the general application of this section, any of the following materials in greater concentration by weight than herein indicated

- (i) phenolic
Equivalents - 20 parts per billion, and
- (ii) Cyanides as
"HCN" - 0.1 parts per million, and
- (iii) Cadmium as
"Cd" - 1.0 parts per million, and
- (iv) Chromium as
"Cr" - 1.0 parts per million, and
- (v) Copper as
"Cu" - 3 parts per million, and
- (vi) Zinc as "Zn" - 15 parts per million, and
- (vii) Iron as "Fe" - 17 parts per million, and
- (viii) Chlorides as
"Cl" - 1500 parts per million, and
- (ix) Sulphates as
"SO4" - 1500 parts per million, and
- (g) matter in which the median coliform count exceeds
twenty-four hundred (2400) per hundred millilitres,
and,
- (h) garbage.

TEST OF WASTES

10. All measurements, tests and analysis of the characteristics of water and waste are to be determined in accordance with standard methods.

WASTE TREATMENT UNDER AGREEMENT WITH CORPORATION

11. Where the waste discharged from any premises is in contravention of section 9 of this By-Law, the owner or other person in charge
- (a) is responsible that there is provided the necessary treatment of such waste to make the same conform to the requirements of this By-Law, or
 - (b) is to bear the cost of necessary treatment by the Corporation, or by another on its behalf, where that is feasible and the Corporation by agreement in writing undertakes such treatment.

WHEN BUILDING REMOVED OR DEMOLISHED

12. When a building is removed or demolished the owner is responsible that every private drain connection is exposed at the line of the highway and reasonable notice given to the Township Engineer so that it may be inspected and if the same meets the requirements of this By-Law, the approval of the Township Engineer and is in good condition, the owner is responsible

- (a) that it is properly plugged at the line of the highway, and
- (b) that otherwise it is disconnected at the main sewer and the junction with the main sewer properly plugged,

all such work to be done by a bonded contractor.

NOTE: The building regulations require a permit to be obtained before a building is removed or demolished.

FILLING UP AND DRAINING VACANT LOTS

13. The owner of any ground, yard, or vacant lot is responsible to clean and clear, and either fill up or drain the same.

MISCELLANEOUS PROHIBITIONS

Obstructing Watercourses.

14. (1) No person is to obstruct any drain or watercourse, or allow the obstruction of the same, or maintain any obstruction therein.

Damaging or Obstructing Sewer.

- (2) No person is to do anything likely to damage or obstruct any part of the sewerage system of the Corporation.

Tampering, etc.

- (3) No unauthorized person is to tamper with any part of the sewerage system, or enter into any main sewer or other part of the sewerage system.

WHERE WORKS TO BE DONE BY THE TOWNSHIP ENGINEER

15. Whenever any work required by this By-Law to be done is not done, or is not done in accordance with the requirements of this By-Law, the Township Engineer is to cause it to be properly done, and the amount of the expense incurred in doing it is to be added to the collector's roll and collected as realty taxes are collected.

NOTE: Plumbing inspectors are appointed by separate By-Law, - and it is an offence under The Ontario Water Resources Commission Act for any person to obstruct or attempt to obstruct entry and inspection by such inspectors.

NOTE: See also The Ontario Water Resources Commission Act for provisions authorizing the municipality doing over again, at the expense of the owner, plumbing work which does not conform to the Regulations under that Act.

PENALTIES

16. Every person found guilty of contravening any of the provisions of this By-Law is liable to a fine of not more than Three Hundred Dollars (\$300.00) exclusive of costs.

PASSED By the Council of The Corporation of the Township of Ancaster
this 8th day of June 1971.

L. D. Harper

CLERK

A. Barnes

REEVE

SCHEDULE "A"

(Referred to in S.5(1) of By-Law No. 71-2374 Respecting Sewers and Drains) Number

THIS AGREEMENT made in triplicate this day of.....A.D., 19....

BETWEEN

..... hereinafter called the Owner

- and -

THE CORPORATION OF THE TOWNSHIP OF ANCASTER hereinafter called the Township

WHEREAS the Owner has represented that he is the owner of a certain parcel of land abutting on the.....side of and more particularly described in Schedule 1 hereto attached, and in which said highway there is no sanitary sewer or storm water sewer, and the said Owner has applied for permission to install private drain connections from yard sewers in the said parcel of land to the main sewers in..... and,

WHEREAS the Township has granted such permission upon the terms and conditions hereinafter set forth.

NOW THEREFORE THIS AGREEMENT WITNESSETH, that in consideration of the Township's issuance of a permit to install private drain connections from the yard sewers in the parcel of land more particularly described in Schedule 1 hereto to the main sewer in....., the Owner, for himself and his successors in title to the said parcel of land, covenants and agrees,

1. To pay an annual rental as provided in the Township's By-Law No.Respecting Sewers and Drains for the privilege of draing said parcel to the sewer in

2. To forego any claim for damages from backwater from the said sewer in.....;

3. Not to petition against or oppose the construction of a main sewer in any highway upon which any part of the said parcel of land abuts, and the whole or part of the expense of installing which main sewer is to be specially assessed against the said parcel; and that if his name or the name of any of his successors in title appear on any such petition the same may be disregarded in determining the number of owners petitioning against any such proposed work and in determining the value of the lands to be specially assessed, and

4. To disconnect every yard sewer in the said parcel from the private drain connections to the sewers in when any main sewer of a kind to which such yard sewer is permitted by the said By-Law to be connected, is laid in any highway immediately in front of or alongside the said parcel, and to connect such yard sewers to private drain connections to such new sewer, and

5. The covenants herein contained are binding upon the Owner and his successors in title and shall be covenants running with the land.

IN WITNESS WHEREOF the Owner has hereunto set his hand and seal.

Signed, sealed and delivered
in the presence of

SCHEDULE "B"

Application for Permit
(Referred to in Section 6(8) of By-Law
No. 71-2374 Respecting Sewers and Drains)

Number
..... being the owner of
.....
on the side of
between.....and.....
in the Township of Ancaster, hereby applies for a permit to perform the
following work, namely,

Number	Size	Description
.....	sanitary yard sewer(s)
.....	sanitary private drain connection(s)
.....	storm water yard sewer(s)
.....	storm water private drain connection(s)
		sanitary lateral connection(s)
		storm water to a yard sewer
.....	catch basins

-- the work to be done by the following bonded contractor, namely,
.....
whose plans and specifications for such work are filed herewith as plan
number

The wastes to be discharged to the sewers and drains under this
application are:
Domestic sanitary sewage
Rain, ground and surface water, or
As set out on the schedule attached hereto.

DATED at the Township of Ancaster this day of
A.D., 19.....

WITNESS: :
: :
: :
: :
: :
:
: Owner

OFFICE USE ONLY :
DATED
APPROVE ISSUANCE OF PERMIT

SCHEDULE "C"

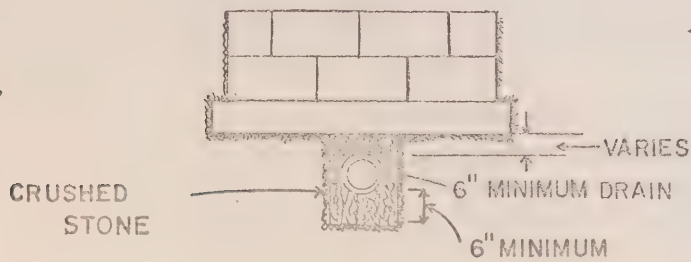
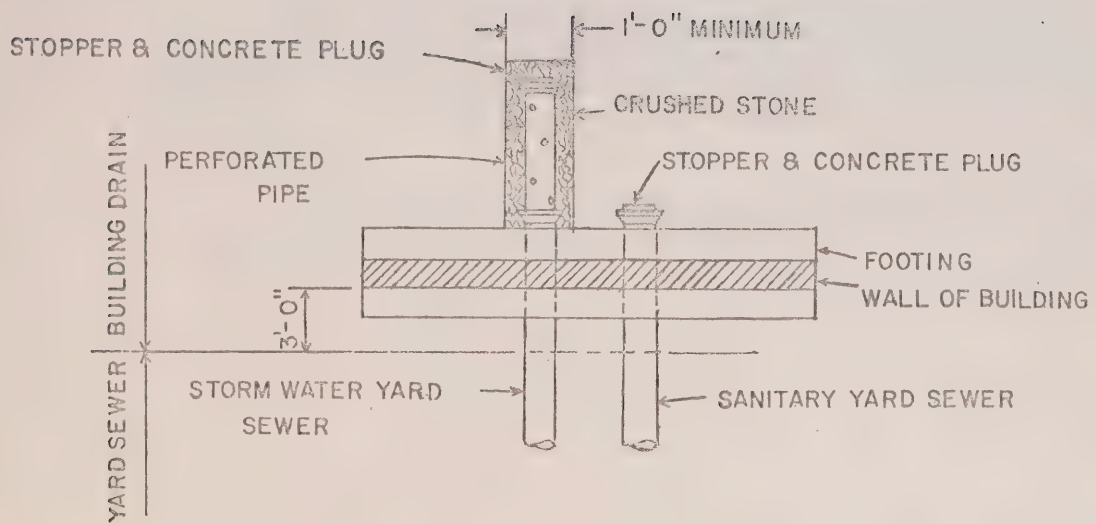
Schedule of Fees for Sewer Permits
(Referred to in Section 6(8) of By-Law
No. 71-2374 Respecting Sewers and Drains

Basic fee for any permit	\$6.00
And in addition to the basic fee:-	
For a sanitary yard sewer and a sanitary private drain connection, or for either one individually	\$3.00
For a storm water yard sewer and a storm water private drain connection, or for either one individually	\$3.00
For a lateral connection to a yard sewer	\$2.00
For a catch basin including connection to a storm water yard sewer	\$2.00

SCHEDULE 'D'

PROTECTION OF OPEN END OF YARD SEWER

(REFERRED TO IN SECTION 6 (15))
OF BY-LAW 71-2374 RESPECTING SEWERS AND DRAINS



THE CORPORATION OF THE TOWN OF STONEY CREEK

BY-LAW NO. 779

as amended by By-Law No. 941

being a by-law to regulate sewers and drains
within the Corporate limits of the Town of
Stoney Creek

WHEREAS the Council of the Corporation of the Town of
Stoney Creek deems it desirable to regulate sewers and drains within
the Town of Stoney Creek and those things which may be discharged
into them.

NOW THEREFORE the Council of the Corporation of the Town
of Stoney Creek enacts as follows:

Interpretation

1. In this By-Law,

- a). "area drain", "building drain", "building sewer"
"building trap", "main sewer", "sewage", and
other technical terms shall have the same meaning
as they are given in the Regulations under The
Ontario Water Resources Commission Act;
- b). "biochemical oxygen demand" means the quantity of
oxygen used in the biochemical oxidation of organic
matter under standard laboratory procedure in five
days, properly controlled at 20° Centigrade, ex-
pressed in parts per million by weight;
- c). "catch basin" means a drain installed to collect
surface water from an open area and to trap solids;
- d). "corporation" means The Corporation of the Town of
Stoney Creek;
- e). "pH" means the logarithm (to the base 10) of the
reciprocal of the weight of hydrogen ions in grams
per litre of solution;

- f). "private drain connection" means that part of a drainage system which connects a yard sewer to a main sewer and is situate within the limits of the highway, and "sanitary private drain connection" means a private drain connection to carry sewage but no rain, ground or surface water; and "storm water private drain connection" means a private drain connection to carry rain, ground or surface water and uncontaminated water but no sewage or other waste;
- g). "sanitary building drain" means a building drain to carry sewage but no rain, ground or surface water'
- h). "sanitary sewer" means a sewer to carry sewage but no rain, ground or surface water;
- i). "sanitary yard sewer" means a yard sewer to carry sewage but no rain, ground or surface water;
- j). "standard methods" means the examination and analytical procedures set forth in the 11th edition of "Sanitary Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly in 1960 by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation;
- k). "storm sewer" means a sewer to carry rain, ground or surface water and uncontaminated water, but no sewage or other waste;
- l). "storm water building drain" means a building drain to carry rain, ground or surface water and uncontaminated water but no sewage or other waste;
- m). "storm water yard sewer" means a yard sewer to carry rain, ground or surface water and uncontaminated water, but no sewage or other waste;
- n). "suspended solids" means solids that either float on the surface of or are in suspension in, water, sewage or other liquid, and which are removable by laboratory filtering; and
- o). "yard sewer" means that part of a drainage system outside a building commencing at a point three (3) feet from the outer face of the wall of a building and connecting the building drain to a private drain connection or to any other place of disposal; or means that part of a drainage system between a catch basin and a private drain connection or other place of disposal; and includes a building sewer except that part within the limits of the highway.

Application of By-law

2. Nothing in this By-law shall be so construed as to purport to permit anything which by the provisions of any applicable Act or Regulation is prohibited.

Administration and Enforcement

3. The Town engineer or superintendent shall be responsible for the administration and enforcement of this By-law.

Where Sewer Connections Required

4. Where a parcel of land abuts on a highway in which there is a main sewer to which such land may readily be drained, the owner shall install yard sewers and private drain connections in the manner hereinafter provided, for the drainage of the land to the main sewer, and where he fails to comply with this requirement the town clerk, after sixty days notice in writing addressed to the owner at his address according to the last revised assessment roll and mailed by prepaid first class mail, may cause to be installed the same at the expense of the owner and the cost shall be added to the collector's roll and collected as realty taxes are collected.

Connection Where Land Not Directly Served

5. (1) Where a parcel of land does not abut on a highway in which there is a main sewer to which such land may readily be drained, but there is some other sewer to which the land may readily be drained and for the cost of which such parcel has not been specially assessed, such parcel may be drained to such other main sewer upon the consent of town council and the execution and registration of an agreement in the form of Schedule 'A' appended hereto, and the owner of the land shall pay annually for a period of ten years, a special rate of one dollar (\$1.00) per foot of frontage of such land; and such special rate may be commuted for the sum of seven dollars and fifty cents (\$7.50) per foot frontage less any annual payments which have been made on account of principal;

Provided that where any such land is charged with local improvement rates or other sewer construction rates at any time within such ten-year period, the remaining installments of the special rate shall be cancelled, and, where a payment has been made on commutation of such special rate, the amount applicable to the unexpired portion of such ten-year period shall be refunded.

(2) All special rates shall be entered in the collector's roll and collected as realty taxes are collected.

Requirements Respecting Yard Sewers
and Private Drain Connections

6. (1) Sanitary and Storm Water Yard Sewers and Private Drain Connections to be Separate.

After the date of the passing of this by-law, no person shall install any yard sewer for the carriage of both sewage and rain, ground or surface water, but every owner, contractor or other person installing a yard sewer shall be responsible that it is either a sanitary yard sewer or a storm water yard sewer and so connected, and that every area drain and catch basin, and all subsurface drainage, is connected to the storm water yard sewer, and no person shall install any private drain connection for the carriage of both sewage and rain, ground or surface water, but every owner, contractor or other person installing a private drain connection shall be responsible that it is either a sanitary private drain connection or a storm water private drain connection and so connected; but, notwithstanding the foregoing respecting private drain connections, where only a combined sewer is available, the two private drain connections shall nevertheless be kept separate, except where there is an existing private drain connection.

(2) Separate Connections for Separate Premises

No permit shall be issued for connecting into one yard sewer or into one private drain connection, more than one single-family, two-family or three-family dwelling or multiple dwelling, or more than one dwelling of a pair of semi-detached dwellings or of a row of dwellings, or more than one lot, building or premises, or two or more parcels under different ownership; and the making of any such connection or the permitting of the making of it by any owner, contractor or other person shall be an offence against this By-law; and when any parcel of land which is drained to a main sewer is subdivided, each part into which it is subdivided shall be drained by yard sewers and private drain connections which are not connected to any other land;

Provided, however, that where a row of attached dwellings are at a right angle or approximately at a right angle to the street in which is the main sewer to which they are to be drained, all will be allowed to connect into one private drain connection, so long as each house has its own separate building drain connected to a common yard sewer, and so long as all the houses remain in the same ownership.

(3) Permit Required

With the exception of work done by duly authorized servants of the corporation, no person shall perform or commence any work of constructing, reconstructing, installing, altering or connecting the whole or any part of any yard sewer or private drain connection, or any appurtenance thereof, except pursuant to a permit signed by the town clerk or a duly authorized assistant and in accordance therewith.

(4) Location, etc., of Trench

Every yard sewer and private drain connection, throughout their length from the main sewer to the building or other place to be drained shall be laid, as nearly as practicable, in a straight line in a trench at a right angle from the main sewer and distant at least six feet from the nearest water service pipe, measured horizontally to the nearest point of such service pipe. Only one storm water yard sewer and one private drain connection, and one sanitary yard sewer, and one sanitary private drain connection shall be installed in one trench.

(5) Required Diameter

No person shall install any yard sewer or any private drain connection, of a capacity less than adequate, or of a diameter less than that of the building drain, or of a diameter less than six inches in any event; and no person shall connect any yard sewer to any building drain or to any private drain connection, where this requirement has not been complied with.

(6) Standards for Pipe and Fittings

- a). All pipe used for private drain connections shall meet the standards of that commonly used by the corporation for main sewers.
- b). In all cases the fittings used in the construction of private drain connections shall be equal in quality to the pipe used, and suitable for the type of pipe used.
- c). The storm water yard sewer and the storm water private drain connection shall be constructed of a grey-coloured material, and the sanitary yard sewer and sanitary private drain connection shall be constructed of a material having any colour other than grey.
- d). Every private drain connection shall be connected to a main sewer, using proper 'Y' fittings or suitable saddles.

(7) Slope

The slope of the yard sewers and private drain connections shall be not less than $1/8$ of an inch per foot of pipe.

(8) Installation

- a). Every yard sewer and private drain connection shall be designed, constructed and installed in accordance with generally accepted good practice, with all joints completed with suitable materials and in a proper workmanlike manner, finished clean and smooth on both the outside and inside of the pipe, and, at

the line of the highway, having the top of the pipe at least seven feet (7'-0") below the level of the finished surface of the roadway opposite that point, or at such higher elevation only as may be necessitated by the level of the main sewer. Wherever practicable the sewerage of lands under different ownership shall be limited to one storm water private drain connection and one sanitary private drain connection.

- b). Wherever possible, every yard sewer shall be installed at an elevation below the basement floor, In every building in which a building drain is too low to permit gravity flow to the main sewer, the sewage or storm water shall be lifted by suitable means and discharged to the appropriate yard sewer.

(9) Yard Sewer Connection with Building Drain

No person shall connect any sanitary yard sewer to any building drain other than a sanitary building drain, or any storm water yard sewer to any building drain other than a storm water building drain.

(10) When Yard Sewer to be Installed

No person shall perform any work of installation of a yard sewer until:

- a). The main sewer is in operation and the private drain connection installed; and
- b). either the roof is on the building, or the upper end of the yard sewer is properly covered and protected.

(11) Where Manhole Required

A manhole shall be constructed and installed by the owner at his own expense,

- a). on every yard sewer carrying industrial waste, regardless of size. The manhole:
 - (i) shall be located on the owner's property immediately adjacent to the line of the highway or at some other suitable location;
 - (ii) shall be designed, constructed and installed in accordance with generally accepted good practice; and
 - (iii) shall be readily accessible, and maintained in a safe condition by the owner of the property; and

- b). at the main sewer for every private drain connection having a diameter equal to or greater than 12 inches.

(12) Backfilling and Inspection

The owner of the lands shall be responsible that no part of a yard sewer or private drain connection shall be backfilled or hidden from view, until notice has been given to, and the work inspected by, the town engineer or superintendent or one of his duly authorized inspectors; and it shall also be an offence for any person to backfill or hide any part of a yard sewer or private drain connection from view until there has been such notice and inspection.

(13) Use of Existing Private Drain Connections

An existing private drain connection shall not be used as the outlet for a new yard sewer until it has been determined by exposure at the line of the highway, that it is of adequate size, at proper depth, and in good condition.

(14) Parking Area Drainage

- a). Every parking area shall be drained by catch basins and storm water yard sewers.
- b). Each catch basin shall have a sump at least 18 inches deep, below the invert of the yard sewer, and shall be fitted with a suitable trap.

Responsibility for Maintenance of Yard Sewers and Private Drain Connections

7. The owner of lands drained into any main sewer shall be responsible for the proper maintenance, repair and necessary replacement at his own expense, of the yard sewers and private drain connections; and the repair of any roadway, sidewalk or curb that is damaged by reason of faulty yard sewers or private drain connections, or that is disturbed in the maintaining, repairing or replacing the same.

Where Grease Traps Required to Prevent Prohibited Discharges

8. (1) Every person operating a restaurant business, public garage, metals plant or other establishment of any kind from which there is or is likely to be discharged into any sewer, any oil or grease contrary to this By-law shall install a suitable grease and oil trap effectual to prevent contravention of the By-law, and execute such other works and do such other things as may be necessary for the purpose; provided this shall not apply to private living quarters.

(2) A grease and oil trap shall not be deemed to be suitable within the meaning of subsection 1 unless it is capable of intercepting and trapping grease, oil, flammable wastes, sand and other such ingredients, and is of adequate size.

(3) Every such grease and oil trap shall be so located as to be readily accessible for inspection and cleaning and shall be kept in proper working order by the owner or operator of the establishment.

Prohibited Discharges

9. (1) No person shall discharge into any sewer or drain or into any land drainage works that are capable of discharging into any well, pond, reservoir, lake, stream or other water or watercourse, or such other place where the quality of the water may be impaired thereby, any

- a). liquid or vapour having a temperature of more than 150° Fahrenheit;
- b). gasoline, benzine, naptha, fuel oil or other inflammable or explosive liquid;
- c). ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, plaster, wood, cellulose;
- d). animal waste other than humans such as hair, wool or fur, feathers, intestines, blood, parts of bodies or other such animal waste;
- e). matter having a pH lower than 5.5 or higher than 9.5, or having any other corrosive property which may cause damage to the sewerage system, or injury to any person;
- f). waste capable of creating a public nuisance by reason of its noxious or malodorous qualities or otherwise;
- g). substance of such a kind or condition or in such quantity as to be capable of causing obstruction to the flow in the sewers or interfering with the proper operation of the sewerage system;
- h). atomic waste or radioactive materials;
- i). hair from barber shops, hairdressing establishments, wig-makers' shops or other such places; or
- j). blood or parts of human bodies from hospitals, medical schools, blood donor clinics, undertakers' establishments or from any other places of any kind.

(2) To Any Sanitary Sewer or Combined Sewer

No person shall discharge or allow the discharge of, directly or indirectly, into any sanitary sewer or into any combined sanitary and storm sewer, any

- a). matter which may contain more than 100 parts per million by weight, of fat, oil or grease of animal or vegetable origin, or more than 10 parts per million by weight, of oil or grease of mineral origin;
- b). matter containing suspended solids exceeding 350 parts per million by weight;
- c). matter in which the five-day biochemical oxygen demand exceeds 300 parts per million by weight;
- d). matter containing any toxic or poisonous substance of such a nature and in a concentration or quantity which might interfere with or prejudice any sewage treatment process or which might constitute a danger to humans or other animals or impair the quality of the water in any lake or other body of water to which the effluent from the sewage treatment plant is discharged; and without restricting the general application of the foregoing, any of the following materials in greater concentration by weight than indicated following are within the meaning of this clause, namely

Chromium as "Cr"	3 parts per million
Cyanide as "HCN"	2 parts per million
Phenol or equivalent	50 parts per million
Copper as "Cu"	1 part per million
Zinc as "Zn"	1 part per million
Nickel as "Ni"	1 part per million
Cadmium as "Cd"	1 part per million; or

- e). garbage, provided however, that the town engineer may give consent in writing signed, subject to revocation at any time without notice, for the installation of a hydraulic garbage shredder in any premises wherever he is satisfied that the capacity of the main sewer and the flow in the same is such that there is no likelihood of any accumulation in the main sewer.

(3) To Any Sanitary Sewer

No person shall discharge or allow the discharge of, directly or indirectly into any sanitary sewer, any storm water, surface water, ground water, roof run-off, sub-surface drainage or any uncontaminated water.

(4) To Any Storm Sewer

No person shall discharge or allow the discharge of, directly or indirectly into any storm sewer, any

- a). liquid which may contain more than 10 parts per million by weight of fat, oil, grease, or other matter that is soluble in either;
- b). matter of such a nature and in such concentration or quantity as may cause death or injury to any person, fish, animal or bird, or damage to any property;
- c). matter containing suspended solids exceeding 20 parts per million by weight, or which will not readily pass through a quarter-inch screen;
- d). matter in which the five-day biochemical oxygen demand exceeds 20 parts per million by weight;
- e). coloured matter from which the colour is not capable of being removed, or from which the colour is not capable of being substantially dispersed by adding as little as 4 parts of water without colour to one part of the coloured matter;
- f). matter containing any toxic or poisonous substance of such a nature and in a concentration or quantity which might be dangerous to marine or vegetable life in any lake or other body of water into which the storm sewer discharges; and without restricting the general application of the foregoing, any of the following materials in greater concentration by weight than indicated following are within the meaning of this clause, namely,

Phenolic Equivalents	20 parts per billion
Cyanides as "HCN"	0.1 parts per million
Cadmium as "Cd"	1.0 parts per million
Chromium as "Cr"	1.0 parts per million
Copper as "Cu"	3 parts per million
Zinc as "Zn"	15 parts per million
Iron as "Fe"	17 parts per million
Chlorides as "Cl"	1500 parts per million
Sulphates as "SO4"	1500 parts per million

- g). matter in which the median coliform count exceeds 2400 per hundred millilitres; or
- h). garbage.

Test of Wastes

10. All measurements, tests and analyses of the characteristics of water and waste shall be determined in accordance with standard methods.

Waste Treatment Under Agreement with Corporation

11. Where the waste discharged from any premises is in contravention of section 9, the owner or other person in charge shall be responsible that there is provided the necessary treatment of such waste to make the same conform to the requirements of this By-law, or shall bear the cost of necessary treatment by the corporation where that is feasible and the corporation by agreement in writing undertakes such treatment.

When Building Removed or Demolished

12. When a building is removed or demolished the owner shall be responsible that every private drain connection is exposed at the line of the highway and reasonable notice given to the town engineer or superintendent so that it may be inspected; and if the same meets the requirements of this By-law and is in good condition, the owner shall be responsible that it is properly plugged at the line of the highway, and that otherwise it is disconnected at the main sewer and the junction with the main sewer properly plugged; all such work to be done by a bonded contractor.

NOTE: The building regulations require a permit to be obtained before a building is removed or demolished.

Filling Up and Draining Vacant Lots

13. The owner of any ground, yard, or vacant lot shall be responsible to clean and clear, and either fill up or drain the same.

Miscellaneous Prohibitions

14. (1) Obstructing Watercourses.

- a). The Corporation may in writing require the owner of land or any other person obstructing or allowing the obstruction or maintaining the obstruction of any drain or water course to do all such work as the Corporation determines is necessary to remove the obstruction.
- b). Where the owner or other person is required to do the work referred to in subsection (a) of this section, the work shall be done within the time specified in the written requirements, and the Corporation when making such written requirements will specify the obstruction which is required to be removed.

(2) Damaging or Obstructing Sewer

No person shall do anything likely to damage or obstruct any part of the sewerage system of the corporation.

(3) Tampering, etc.

No unauthorized person shall tamper with any part of the sewerage system, or enter into any main sewer or other part of the sewerage system.

Where Works to be Done by Engineer

15. Whenever any work required by this By-law to be done is not done, or is not done in accordance with the By-law, the town engineer may cause it to be properly done, and the amount of the expense incurred in doing it shall be added to the collector's roll and collected as realty taxes are collected.

Penalties

16. Every person found guilty of contravening any provision of this By-law is liable to a fine of not more than Three Hundred Dollars (\$300.00) exclusive of costs.

PASSED this 13th day of February, A.D. 1968.

J. W. Watson

Mayor

Bernice C. Kipps

Clerk

SCHEDULE 'A'

(Referred to in By-Law No.....Respecting Sewers
and Drains)

Number

AGREEMENT made in triplicate thisday of
.....A.D. 19.....

BETWEEN

.....
hereinafter called the Owner

- and -

THE CORPORATION OF THE TOWN OF STONEY CREEK

hereinafter called the Town

WHEREAS the Owner has represented that he is the owner
of a certain parcel of land abutting on theside of
.....and more particularly described in Schedule 1 hereto
attached, and in which said highway there is no sanitary sewer or
storm sewer, and the said Owner has applied for permission to install
private drain connections from yard sewers in the said parcel of land
to the main sewers in;

AND WHEREAS the Town has granted such permission upon
the terms and conditions hereinafter set forth;

WHEREFORE THIS AGREEMENT WITNESSETH, that in con-
sideration of the Town's issuance of a permit to install private drain
connections from the yard sewers in the parcel of land more particularly
described in Schedule 1 hereto, to the main sewers in
....., the Owner, for himself and his successors in
title to the said parcel of land, covenants and agrees,

1. To pay an annual rental as provided in the Town's By-law
No.....Respecting Sewers and Drains, for the privilege of
draining said parcel to the sewer in

2. To forego any claim for damages from backwater from the
said sewer in

3. Not to petition against or oppose the construction of a main sewer in any highway upon which any part of the said parcel of land abuts, and the whole or part of the expense of installing which main sewer is to be specially assessed against the said parcel; and that if his name or the name of any of his successors in title appear on any such petition the same may be disregarded in determining the number of owners petitioning against any such proposed work and in determining the value of the lands to be specially assessed;

4. To disconnect every yard sewer in the said parcel from the private drain connections to the sewers in.....
.....when any main sewer of a kind to which such yard sewer is permitted by the said By-law to be connected, is laid in any highway immediately in front of or alongside the said parcel, and to connect such yard sewers to private drain connections to such new sewer.

5. The covenants herein contained shall be binding upon the Owner and his successors in title and shall be covenants running with the land.

IN WITNESS WHEREOF the Owner has hereunto set his hand and seal.

Signed, Sealed and Delivered)

in the presence of)

)

)

)

)

THE CORPORATION OF THE TOWNSHIP OF SALT FLEET

BY-LAW NO. 2326

RESPECTING SEWERS AND DRAINS

WHEREAS for the purpose of ensuring the proper construction, orderly development and proper maintenance and control of the sewer system of the said Corporation deems it necessary to regulate the construction, maintenance and use of the said sewer system and all connections therewith.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SALT FLEET ENACTS AS FOLLOWS:

DEFINITIONS

1. In this By-law, unless the context specifically indicates otherwise:
 - (a) "B.O.D.", (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under the standard laboratory procedure in 5 days, properly controlled at 20^o Centigrade, expressed in parts per million by weight.
 - (b) "building sewer", means that part of drainage piping outside a building or other structure that connects a building drain to the sewer connection commencing at a point three feet from the outer face of the wall of the building or other structure and terminating at the property line.
 - (c) "coliform count", means the number of all coliform bacteria enumerated by standard laboratory procedure and expressed in number of coliform bacteria per 100 millilitres.
 - (d) "combined sewer", means a sewer receiving both surface runoff and sanitary sewage.
 - (e) "engineer", means the Engineer of the Township or his authorized Deputy, agent or representative.
 - (f) "garbage", means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage, and sale of produce.
 - (g) "health officer", means the Medical Officer of Health for Wentworth County or his authorized Deputy, agent or representative.
 - (h) "industrial wastes", means the liquid wastes from industrial processes as distinct from sanitary sewage.
 - (i) "matter", includes any gaseous, liquid or solid substance, or any combination thereof.
 - (j) "natural outlet", means any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
 - (k) "parts per billion (ppb)", means parts per billion by weight.
 - (l) "parts per million (ppm)", means parts per million by weight.

- (m) "pH", means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.
- (n) "phenol equivalents", means those hydroxy derivatives of benzene or its condensed nuclei, which can be determined by the Aminoantipyrine or Gibbs Method.
- (o) "plumbing inspector", means the Plumbing Inspector of the Township or his authorized Deputy, agent or representative.
- (p) "properly shredded garbage", means the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one half inch in any direction.
- (q) "property line", means the division line between any public highway, easement, right of way or other lands owned or controlled by the Township or any other public authority and lands abutting thereon.
- (r) "public sewer", means any sewer on a public highway, an easement, a right of way or other lands owned or controlled by the Township or any other public authority.
- (s) "sanitary sewer", means a sewer which carries sanitary sewage and to which storm, surface, and ground waters are not intentionally admitted.
- (t) "sewage", means a combination of the water-carried wastes from residences, business buildings, institutions, industrial establishments and other establishments together with such ground, surface, and storm waters as may be present.
- (u) "sewer", means a pipe or conduit for carrying sewage.
- (v) "sewer connection", means any pipe connecting with a public sewer, and terminating at the property line.
- (w) "sewage works", means all facilities for collecting, pumping, treating and disposing of sewage.
- (x) "shall", is mandatory; "may", is permissive.
- (y) "storm channel or watercourse", means an open channel, ditch, or watercourse, either natural or artificial, in which a flow of water occurs either continuously or intermitently.
- (z) "storm sewer", means a sewer which carries storm and surface waters and drainage, but excludes sanitary sewage and polluted industrial wastes.
- (z1) "suspended solids", means solids that either float on the surface or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

- (z2) "township", means the Corporation of the Township of Saltfleet.

USE OF PUBLIC SEWERS

2. (a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial wastes into any sanitary sewer.
- (b) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated storm sewers or to a storm channel or natural outlet approved by the Engineer. Industrial cooling water or unpolluted industrial wastes shall, subject to the approval of the Engineer, be discharged to a storm sewer or natural outlet or in such other manner as may be approved by the Engineer.
- (c) The use under any circumstances of any sewer as a combined sewer is specifically prohibited.
- (d) Discharge to Storm Sewers. No person shall discharge or allow the discharge directly or indirectly into any storm sewer, or connection into any storm sewer, or into any other land drainage works that are capable of discharging into any well, lake, river, pond, spring, stream, reservoir, or other water or watercourse or any shore or branch thereof or into any place that may impair the quality of the water of any well, lake, river, pond, spring, stream, reservoir, or other watercourse or any shore or branch thereof, any of the following, namely:
- (i) liquid or vapor having a temperature more than 150° Fahrenheit;
 - (ii) matter which may contain more than fifteen parts per million by weight, of fat, oil, grease or other matter that is soluble in ether;
 - (iii) gasoline, benzene, naphtha, fuel oil or other inflammable or explosive liquid, gas or other substance;
 - (iv) ashes, cinders, garbage, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, cellulose, manure, or any other solid, viscous or any colloidal matter;
 - (v) matter having a pH lower than 5.5 or higher than 9.5, or having any other corrosive property which may cause damage to the sewerage works, or injury to any person;
 - (vi) any matter of such a nature and in such concentration as may cause death or injury to any person, fish, animal, or bird, or damage to any property.

- (vii) any matter containing suspended solids exceeding twenty parts per million by weight, or which will not readily pass through a quarter-inch screen;
 - (viii) any waste capable of creating a public nuisance by reason of its noxious or malodorous qualities or otherwise;
 - (ix) any matter in which the biochemical oxygen demand exceeds fifteen parts per million by weight;
 - (x) any coloured matter from which the colour is not capable of being removed, or from which the colour is capable of being removed by adding not more than four parts of water without colour to one part of the coloured matter;
 - (xi) any matter containing any of the following materials in excess of the following concentrations:

Phenolic Equivalents	20 parts per billion by weight
Cyanides as "HCN"	0.1 parts per million by weight
Cadmium as "Cd"	1.0 parts per million by weight
Chromium as "Cr" (Hexavalent)	1.0 parts per million by weight
Copper as "Cu"	3 parts per million by weight
Zinc as "Zn"	15 parts per million by weight
Iron as "Fe"	17 parts per million by weight
Chlorides as "Cl"	1500 parts per million by weight
Sulphates as "SO ₄ "	1500 parts per million by weight, or
 - (xii) any matter in which the median coliform count exceeds 2400 per hundred millilitres.
- (e) Discharge to Sanitary Sewers. No person shall discharge or allow the discharge directly or indirectly into any sanitary sewer, or into any connection to any sanitary sewer, of any of the following, namely:
- (i) any storm water, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial wastes;
 - (ii) any liquid or vapor having a temperature higher than 150° Fahrenheit;
 - (iii) any matter which may contain more than 100 parts per million by weight, of fat, oil or grease of animal or vegetable origin or 10 parts per million by weight, of oil or grease of mineral origin;

- (iv) any gasoline, benzene, naptha, fuel oil, acetone, solvents or other inflammable or explosive liquid, gas or other substance;
- (v) any garbage that has not been properly shredded;
- (vi) any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar plastics, wood, cellulose, manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works;
- (vii) any matter having pH lower than 5.5 or higher than 9.5 or having any other corrosive property capable of causing damage to structures, equipment and personnel of the sewerage works;
- (viii) any liquid matter containing suspended solids exceeding 350 parts per million by weight;
- (ix) any matter in which the five-day biochemical oxygen demand exceeds 300 parts per million by weight;
- (x) any wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, or which might constitute a hazard to humans or animals or create any hazard in the receiving waters of the effluent from the sewage treatment plant; and for the purpose of this by-law the following shall be within the meaning of this clause, namely: metals or chemicals such as chanide, hexavalent, chromium, phenols, or copper whose concentrations are more than the following:

Chromium as "Cr" (Hexavalent)	3 parts per million by weight
Cyanide as "HCN"	2 parts per million by weight
Phenol or equivalent	50 parts per billion by weight
Copper as "Cr"	1 part per million by weight
- (xi) any waste capable of creating a public nuisance by reason of its noxious or malodorous qualities or otherwise; or
- (xii) any other substance of such a kind or in such quantity or condition as to be capable of interfering with the proper operation of sewerage works.

PRIVATE SEWAGE DISPOSAL

- 3. (a) It shall be unlawful for any person to place or deposit, or permit to be placed or deposited in an unsanitary manner upon public or private property within the Township of Saltfleet, or in any area under the jurisdiction of said Township, any human or animal excrement, garbage, or other objectionable waste except as approved by the Health Officer.

- (b) The owner of any house, building or property used for human occupancy, employment, recreation or amusement situated within the Township and abutting on any public highway, street, alley or right-of-way in which there is now or may hereafter be a public sanitary sewer within one hundred feet (100') of the property line, is required at his expense to install suitable toilet facilities therein, and to connect such facilities and all sinks and floor drains directly with the proper public sanitary sewer in accordance with the provisions of this By-law, and to discontinue the use of any septic tank, cesspool and similar private sewage disposal facilities within ninety days (90) after receipt of written notice to do so given by the Health Officer.
- (c) Where a public sanitary sewer is not available under the provisions of this By-law, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Wentworth County Health Unit. The owner shall, at the owner's expense, operate and maintain such private sewage disposal facilities in a sanitary manner at all times.
- (d) The owner of any house, building or property used for human occupancy, employment, recreation or amusement situated within the Township and abutting on any public highway, street, alley or right-of-way in which there is now or hereafter may be located a public storm sewer within one hundred (100') feet of the property line is required at his expense to connect his roof drainage and weeping tiles directly with the proper public storm sewer in accordance with the provisions of this By-law within ninety days (90) after receipt of written notice to do so given by the Township.

SEWER CONNECTIONS

- 4. (a) No unauthorized person shall uncover, make any connections with or opening into, alter or disturb any public sewer or appurtenance thereof.
- (b) All excavations for building sewer and sewer connection installations shall be adequately guarded with barricades and lights to protect the public from injury. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Township.
- (c) No sewer connection shall be constructed or maintained on any public highway, street, alley, right-of-way or other public land, except by the Township or under a contract or agreement with the Township. The Owner shall at his expense provide such performance and maintenance guarantees and liability insurance as shall be required by the Township in connection with any work done by the owner or the owner's contractor pursuant to an agreement with the Township; and the work shall be subject to the supervision and inspection of the Engineer and Plumbing Inspector and shall comply with all Township by-laws and regulations.
- (d) The Engineer may order the temporary disconnection of any sewer connection whenever he may consider it necessary, for such period as he may consider necessary, and during such time no person shall use or permit the use of such connection.

PERMIT FOR INSTALLATION OR REPAIR OF SEWER CONNECTION

5. Saving and excepting work done by duly authorized servants of the Township, no person shall perform or commence any work of installation, alteration or repair of the whole or any part of any sewer connection without a permit signed by the Engineer and without previously depositing with the Township Clerk and indemnity bond conforming with the provisions of Section 7 hereof.

APPLICATION FOR PERMIT

6. Every application for a permit shall be made in the form hereunto annexed as Schedule "A" and shall be signed by the owner of the lands and premises proposed to be drained, or by his agent duly authorized in writing, and shall show the name and address of the person who is to do the work, and such application shall be delivered to the office of the Engineer together with proper plans and specifications satisfactory to the Engineer at least three weeks before the commencement of the proposed work, and where the proposed work is to be performed on, in or under any public highway, easement, right-of-way or other lands under the jurisdiction of any government, municipality, agency or body other than the Township, the applicant shall also obtain written approval and consent for such work from such government, municipality, agency or body prior to making such application to the Township and shall deliver such written approval and consent to the office of the Engineer with his application. The owner shall be responsible for the completeness and accuracy of the information furnished on such application, plans and specifications. No person shall commence or perform any such work or any part thereof unless and until he shall have satisfied the Engineer that he is qualified to perform the said work in a competent and workmanlike manner and to the satisfaction of the Engineer.

INDEMNITY BOND

7. The indemnity bond to be given to the Township under the provisions of Section 5 hereof shall be a bond in the sum of \$500,000.00 issued by a responsible surety company satisfactory to the Township Clerk and shall be satisfactory to the Township Clerk in both form and contents and shall provide that the said surety company shall indemnify the Township from and against all actions, claims, demands, suits and other proceedings which at any time after the date thereof shall or may be brought or prosecuted against the Township by reason of any claim for damages or injury caused or alleged to be caused by the negligence of the owner of the said lands and premises or his agents, workman or contractors or by the negligent construction or poor workmanship of the said work and shall include indemnity to the Township for the cost of all works and repairs rendered necessary by or resulting from the excavations for and construction of the said works and the maintenance and repair of the same during a period of twelve months immediately following completion thereof.

MAINTENANCE

8. The owner from time to time of the abutting lands served shall be responsible for the cost of repairing, clearing and maintaining in good condition all drains, including the building sewer and the sewer connection leading from the building or other parts of such lands to the public sewer whether the work is performed by or on behalf of the owner or by the Township.

PROHIBITION OF ACCESS

9. (a) No unauthorized person shall enter any sewer, sewer manhole, catch basin, dropshaft, tunnel, pumping station, pond, reservoir, weir, flushing chamber, overflow chamber, or other municipal installation for the handling or treatment of waters, wastes or sewage.
- (b) No unauthorized person shall uncover, make any connection with or opening into, use, alter, disturb, break, damage, destroy, deface, or tamper with any municipal sewer or any structure, appurtenance or equipment which is part of the municipal sewage works.

RIGHT OF ENTRY

10. The Engineer and Plumbing Inspector are authorized, at all reasonable times, to enter any building or premises for the purpose of inspection, observation, measurement, sampling and testing sewage or sewerage works.

PENALTIES

11. (a) In the event that any person constructs a sewer connection in a manner other than herein provided, the Engineer may order the re-excavation of the connection for the purpose of inspection and testing, and if necessary, reconstruction of the work, and the Engineer may require such work to be performed at the expense of the owner or disconnect the said sewer connection, in which case it shall not be re-constructed except with the approval of the Engineer.
- (b) The continuation of a condition violating the provisions of this By-law shall be considered a violation, notwithstanding that such condition existed prior to the enactment hereof.
- (c) Any person who contravenes the provisions of this By-law shall be guilty of an offence and upon conviction shall be liable to a fine in the discretion of the convicting Magistrate of an amount not less than fifty dollars (\$50.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offence. Such penalties shall be exclusive of costs and shall be recoverable under the provisions of The Summary Convictions Act.
- (d) Any person violating any of the provisions of this By-law, shall be liable to the Township for any expense, loss or damage sustained by the Township by reason of such violation.

VALIDITY

12. Every provision of this By-law is declared to be severable from the remainder of the By-law, and if any provision of this By-law shall be declared invalid by a Court of competent jurisdiction, such declaration shall not affect the remainder thereof.

ENACTED this 12th day of March, A.D. 1965.

.....
CLERK

L. THOMAS
.....
REEVE

SCHEDULE "A"

Referred to in Section 6 of By-law Number 2326
REQUEST FOR PERMISSION TO CONSTRUCT
A SANITARY OR STORM SEWER CONNECTION

I,, being the owner of
....., on the side of
....., in the Township of Saltfleet, comprising
....., hereby request permission from the Corporation of
the Township of Saltfleet (hereinafter called the Corporation) to construct
a drain or sewer into the, sewer of the
Corporation on, the drain or sewer for which such
permit is applied for to be laid by,

....., hereby agree with the Corporation of the Township
of Saltfleet to restore the said street to as good a state of repair as it
was in prior to the making of any excavation for such drain or sewer, and
to the satisfaction of the Township Engineer, and to pay to the Corporation
any expense it may be put to in filling up, restoring or making good such
street to the satisfaction of the Township Engineer, whether such work
shall be done by the Corporation immediately after completion of the
works or subsequently by reason of settlement in the filling of the excavation
or any defect in the construction of the drain or sewer. In consideration
of being allowed to connect the premises aforesaid with the above mentioned
main sewer on, hereby agree to indemnify
and save the Corporation harmless from and against all claims for any
damages which may arise or be caused through such connection with the
sewer, from backwater, in consequence of the gorging of any sewer by
excessive rain or flood waters, or by reason of the private drain not having
sufficient fall to the public sewer or by reason of the,
sewer not having been laid at sufficient depth or becoming blocked through
no fault of the Corporation and from and against all actions, claims,
demands, suits and other proceedings which at any time after the date
hereof shall or may be brought or prosecuted against the Corporation by
reason of any claim for damages or injury caused or alleged to be caused by
the negligence of the Corporation or by, negligence or by the
negligence of, agents, workmen or contractors in doing and
performing the said works and in saving harmless and protecting the
public or any member thereof from damage or injury directly or indirectly
resulting from the excavations for and the construction of such works and
by the negligent construction or poor workmanship of the said works and
shall include indemnity to the Corporation for the cost of all works and
repairs rendered necessary by or resulting from the excavations for and
construction of the said works and the maintenance and repair of the
same during a period of twelve months immediately following completion
thereof.

....., further agree on behalf of,
and of all persons claiming under or through, who may at any
time be possessed of or interested in the said lands to pay all sewer
service charges provided and established from time to time by the Corporation
and all other costs and expenses the Corporation may incur or be put to by
reason of the construction of the said sewer or drain.

DATED the 12th day of March, A.D., 1965.

WITNESS:

.....

.....
(Signature of Applicant)
.....
(Address)

THE CORPORATION OF THE VILLAGE OF WATERDOWN

BY-LAW NO. 942

BEING a by-law to require the connection of private drains to the municipal sanitary sewers.

WHEREAS The Corporation of the Village of Waterdown has deemed it advisable to extend the existing sanitary sewers into unserviced areas of the Village of Waterdown.

AND WHEREAS pursuant to Section 379(1) 68 of the Municipal Act R.S.O. 1960 as amended, a Municipality may recover the expenses of making such sanitary sewer connections as may be necessary, in like manner as Municipal taxes.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF WATERDOWN ENACTS AS FOLLOWS:

1. Every owner of property within the limits of the Village of Waterdown, which property has frontage upon or access to a Municipal thoroughfare along which a Municipal sanitary sewer has been constructed and is in service, shall within three years from the completion of such Municipal sanitary sewer or the passing of this by-law, whichever shall be the later, connect any and all private drains on such property to the said Municipal sanitary sewer.
2. Every owner of property, prior to connecting any private drains to the Municipal sanitary sewer, shall make application to the Clerk-Treasurer of the Corporation of the Village of Waterdown, for a drain permit.
3. In the event an owner of property has not connected any and all private drains on his property to the Municipal sanitary sewer as hereinbefore provided, upon the expiration of 30 days notice in writing given by the Corporation of the Village of Waterdown to such owner by prepaid, first-class mail, the Corporation of the Village of Waterdown may enter upon the lands of the owner and connect any and all private drains as may be necessary to the municipal sanitary sewer.
4. The Corporation of the Village of Waterdown where it has entered upon such lands to make sanitary sewer connections as provided herein, may recover the expense incurred thereby in like manner as municipal taxes.

READ A FIRST AND SECOND TIME this 20th day of September, A.D. 1971.

R. N. McNairn
.....
REEVE

A. McPherson
.....
CLERK

READ A THIRD TIME AND PASSED this 20th day of September, A.D. 1971.

R. N. McNairn
.....
REEVE

A. McPherson
.....
CLERK

THE CORPORATION OF THE VILLAGE OF WATERDOWN

BY-LAW NO. 736

AS AMENDED BY BY-LAW NO. 962

A BY-LAW to regulate the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer systems; and providing penalties for violations thereof, in the Village of Waterdown.

BE IT ENACTED by the Council of the Village of Waterdown, as follows:

DEFINITIONS

1. Unless the context specifically indicates otherwise, the meaning of the terms used in the By-Law shall be as follows:
 - (a) "sewage works", shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
 - (b) "superintendent", shall mean the Clerk Inspector of the Village of Waterdown, or his authorized Deputy, agent or representative.
 - (c) "sewage", shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.
 - (d) "sewer", shall mean a pipe or conduit for carrying sewage.
 - (e) "public sewer", shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
 - (f) "sanitary sewer", shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
 - (g) "storm sewer" or "storm drain", shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
 - (h) "sewage treatment plant", shall mean any arrangement of devices and structures used for treating sewage.
 - (i) "industrial wastes", shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
 - (j) "garbage", shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
 - (k) "building drain", shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

- (l) "building sewer", shall mean the extension from the building drain to the public sewer or other place of disposal.
- (m) "B.O.D.", (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation organic matter under standard laboratory procedure in five days at 20 degrees C., expressed parts per million by weight.
- (n) "pH", shall mean the logarithm of the reciprocal of the weight of hydrogenions in grams per litre of solution.
- (o) "suspended solids", shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- (p) "natural outlet", shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- (q) "watercourse", shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- (r) "person", shall mean any individual, firm, company association, society, corporation or group.
- (s) "shall", is mandatory; "may", is permissive.
- (t) "health officer", shall mean the Medical Officer of Health, or his authorized Deputy, agent or representative.

USE OF PUBLIC SEWERS REQUIRED

- 2. (a) it shall be unlawful for any person to place, deposit, or permit to be deposited in an insanitary manner upon public or private property within the Village of Waterdown or in any area under the jurisdiction of the said Village any human or animal excrement, garbage, or other objectionable waste.
- (b) it shall be unlawful to discharge to any natural outlet within the Village of Waterdown, or in any area under the jurisdiction of said Village, any sanitary sewage, industrial wastes, or any polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this by-law.
- (c) except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- (d) the owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the Boundaries of the Village of Waterdown and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Village of Waterdown, is hereby required at his expense to install suitable toilet facilities therein, and to connect such

- (b) storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated storm sewers, or to a natural outlet approved by the Superintendent, Industrial cooling water or unpolluted process waters may be discharged upon approval of the superintendent, to a storm sewer or natural outlet. No other waste or drainage shall be permitted to be discharged into any storm sewer.
- (c) except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer.
 - (1) any liquid or vapor having a temperature higher than 150° F.
 - (2) any water or waste which may contain more than 10 parts per million by weight, of fat, oil or grease of mineral origin or which may contain more than 100 parts per million, by weight of fat, oil or grease of animal or vegetable origin.
 - (3) any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - (4) any garbage whether shredded or not.
 - (5) ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
 - (6) any waters or wastes having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - (7) any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
 - (8) any waters or wastes containing suspended solids of such character and quantity that unusual attention or expenses is required to handle such materials at the sewage treatment plant.
 - (9) any noxious or malodorous gas or substance capable of creating a public nuisance.
- (d) grease, oil, and sand interceptors shall be provided at the expense of the owner when, in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Village of Waterdown shall be located as to be readily and easily accessible for cleaning and inspection.

- (1) grease and oil interceptors shall be constructed of impervious materials capable of standing abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.
- (e) where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
- (f) the admission into the public sewers of any waters or wastes having:
 - (a) a five-day biochemical Oxygen Demand greater than 300 parts per million by weight, or
 - (b) containing more than 350 parts per million by weight of suspended solids, or
 - (c) containing any quantity of substances having the characteristics described in Section 5(c), or
 - (d) having an average daily flow greater than 2% of the average daily sewage flow of the Village, shall be subject to the review and approval of the superintendent.

where necessary in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatments as may be necessary to:

- (a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or
- (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 5(c) or,
- (c) control the quantities and rates of discharge of such waters or wastes.

plans, specifications, and any other pertinent information related to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- (g) where preliminary treatment facilities are provided for any waters or wastes they shall be maintained continuously in effective operation, by the owner, at his expense to the satisfaction of the Village of Waterdown.
- (h) when required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

- (i) all measurements, tests and analysis of the characteristics of water and wastes to which reference is made in Sections 5(c) and 5(f) shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", and shall be determined at the control manhole provided for in Section 5(h) or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- (j) no statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village of Waterdown and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment, therefore, by the industrial concern.

PROTECTION FROM DAMAGE

- 6. (a) no unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

POWERS AND AUTHORITY OF INSPECTORS

- 7. (a) the Superintendent and other duly authorized employees and /or agents of the Village of Waterdown bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling, testing, in accordance with the provisions of this By-law.

PENALTIES

- 8. (a) any person found to be violating any provision of this By-law except Section 6(a) shall be served by the the Village of Waterdown with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations,
- (b) any person who shall continue any violation beyond the time limit provided for in Section 8(a) shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not exceeding Two Hundred (200.00) Dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offence.

facilities directly with the proper public sewer in accordance with the provisions of this by-law, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

PRIVATE SEWAGE DISPOSAL

3. (a) where a public sanitary or combined sewer is not available under the provisions of Section 2(d), the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Health Officer.
- (b) at such time as a public sewer becomes available to a property served by a private sewage disposal system, if notice has been given as provided in Section 2(d), a direct connection shall be made to the public sewer in compliance with this by-law, and septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- (c) the owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village of Waterdown.

BUILDING SEWERS AND CONNECTIONS

4. (a) no unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without the prior written approval of the Village of Waterdown.
- (b) all excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village of Waterdown. Any person making any excavation or trench shall comply with the provisions of the Trench Excavators Protection Act, 1954, and Amendments thereto.
- (c) an authorized person shall be a plumber or drainman who has been properly licensed as a plumber or drainman under the By-laws of the Village of Waterdown and who has specific authority from the Village to carry out the work in hand.

USE OF THE PUBLIC SEWERS

5. (a) no person shall discharge or cause to be discharged any stormwater, surface water, ground water roof run-off, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer but this shall not prohibit cellar drains and connected weeping tile from being discharged into any sanitary sewer. All roof drains must be carried six (6) feet away from the building or connected to a storm sewer.

- (c) any person violating any of the provisions of this By-law shall become liable to the Village of Waterdown for any expense, loss or damage occasioned the Village of Waterdown by reason of such violation.

VALIDITY

9. (a) all By-laws or parts of By-laws in conflict herewith are hereby repealed.
- (b) the invalidity of any section, clause, sentence, or provisions of this By-law shall not affect the validity of any other part of this By-law which can be given effect without such invalid part or parts.
10. This By-law shall be deemed to be passed under the authority of Section 379(1), paragraphs 70 and 125, of The Municipal Act, R.S.O. 1960.

READ A FIRST AND SECOND TIME THIS 5th day of April, A.D., 1965.

..... O. Gunby
REEVE

..... J. A. Stinson
CLERK

READ A THIRD TIME AND PASSED THIS 19th day of April A.D., 1965.

..... O. Gunby
REEVE

..... J. A. Stinson
CLERK

THE CORPORATION OF THE VILLAGE OF WATERDOWN

BY-LAW NO. 944

BEING a by-law requiring the fluoridation of the public water supply of the Village of Waterdown.

WHEREAS Section 5, subsection 1, of The Fluoridation Act, 1960-61, chapter 30, provides, inter alia, that where a waterworks system is operated by or for two or more local municipalities, the body operating the waterworks system shall establish, maintain and operate a fluoridation system in connection therewith, only after the councils of a majority or such municipalities have passed a by-law requiring the fluoridation of the water supply of their respective municipalities;

AND WHEREAS the waterworks system is operated by the Corporation of the Town of Burlington and the Corporation of the Village of Waterdown is proposing to connect to and obtain water from the waterworks system of the Corporation of the Town of Burlington;

AND WHEREAS the Corporation of the Town of Burlington have passed a by-law requiring the fluoridation of its water supply;

AND WHEREAS the Council of the Corporation of the Village of Waterdown deems it necessary to enact a by-law requiring its water supply to be fluoridated.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF WATERDOWN ENACTS AS FOLLOWS:

1. There shall be established, maintained and operated in connection with the waterworks system to the Corporation of the Village of Waterdown, a fluoridation system as defined in the Fluoridation Act, 1960-61, chapter 30, Statutes of Ontario.

READ A FIRST AND SECOND TIME this 4th day of October, A.D., 1971.

G. Fellowes
.....
ACTING REEVE

A. McPherson
.....
CLERK

READ A THIRD TIME AND PASSED this 4th day of October, A.D., 1971.

G. Fellowes
.....
ACTING REEVE

A. McPherson
.....
CLERK

THE CORPORATION OF THE TOWNSHIP OF GLANFORD

BY-LAW NO. 1209

A BY-LAW for regulating and controlling the disposal of sewage.

WHEREAS Section 354, chapter 284, paragraph 72 and 74 of the Municipal Act, R.S.O. 1970 empowers the Council of a local municipality to pass such by-laws for the purposes specifies herein;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF GLANFORD ENACTS AS FOLLOWS:

1. (a) "sewage", includes treated and untreated human excrement, sludge, wash water, septic tank contents, or any type of industrial waste.
- (b) "contractor", shall mean any person who undertakes to dispose sewage in any other manner than by an underground sewage disposal system and shall particularly mean any person regularly engaged in the business of pumping, cleaning and examining, or in any way altering private, public, or industrial sewage disposal systems.
- (c) "watercourse", includes a river, stream, creek, or other natural watercourse, a ditch or drain or other artificial watercourse, and a pond or lake.
- (d) "medical officer of health", means the Medical Officer of Health, or any Acting Medical Officer of Health of the Hamilton-Wentworth Health Unit.
- (e) "inspector", means any Certifies Public Health Inspector employed by the Hamilton-Wentworth Health Unit or any Inspector employed by the Municipality.
2. No person shall dump or otherwise dispose of sewage in this Municipality within twelve hundred feet of a dwelling except with the permission of the owner.
3. No contractor shall dump or dispose sewage within this Municipality, except as provided in subsection (d) of this Section:
 - (a) Within twelve hundred feet of a dwelling, highway, or road.
 - (b) Within five hundred feet of a well.
 - (c) Within two hundred feet of a watercourse, or into a swale or depression where the slope of the land is such that sewage is likely to wash into a watercourse.
 - (d) Into a storm sewer or storm drain or into any sewage disposal system unless the permission of the operator is first obtained.
 - (e) In any other place where sewage could create a hazard to health in the opinion of the Medical Officer of Health.

4. No contractor shall dump or otherwise dispose of sewage in this Municipality without a permit from the Hamilton-Wentworth Health Unit and at the place and in the manner provided in the permit
5. No person owning or occupying land in the Township of Glanford shall permit sewage to be dumped or otherwise disposed of on any part of such land unless the person so doing has a permit to do so.
6. A permit to dump or otherwise dispose of sewage in the Township of Glanford may be issued by the Hamilton-Wentworth Health Unit without charge to any person who applies in writing for one if the application sufficiently describes the proposed place and the proposed place is not contrary to this By-law.
7. A permit shall be valid only for one year from the date upon which it is issued.
8. A permit shall describe the place where sewage may be dumped or disposed of and may be limited as to quantity, time, type of sewage, the time within which sewage is to be cultivated into the ground, the type of vehicle it is to be transported in, and the route to be taken.
9. A copy of every permit issued shall be sent by the Hamilton-Wentworth Health Unit to the Clerk of this Municipality. The Hamilton-Wentworth Health Unit shall report any breach of this By-law by a permit holder to the Council and the Council may cancel the permit.
10. Any person who contravenes this By-law is liable to a fine of not more than \$500.00 exclusive of cost.
11. This By-law shall take effect on the day of passing June 4th 1973.

PASSED in Council this 4th day of June, A.D., 1973.

...J. Bringham.....
REEVE

...D. L. Guyatt.....
CLERK

THE CORPORATION OF THE TOWNSHIP OF BINBROOK

BY-LAW NO. 926

A BY-LAW for regulating the filling up, draining, cleaning, clearing of any ground, yard, or vacant lot and the laying, altering, re-layering or repairing of private drains and for making any other regulations for sewage or drainage that may be deemed necessary.

WHEREAS Section 379, Subsection 68, and 69, of the Municipal Act, R.S.O. 1960 empowers the Council of a local municipality to pass By-laws for the purposes specified herein,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BINBROOK HEREBY ENACTS AS FOLLOWS:

1. (a) "drain", includes a ditch, channel, tile line, or pipe for carrying water or sewage.

 (b) "sewage", includes treated and untreated human excrement sludge, wash water, and septic tank contents and effluent.

 (c) "medical officer of health", means the Medical Officer of Health or any Acting Medical Officer of Health, of the Wentworth County Health Unit.

 (d) "health inspector", means any certified Public Health Inspector employed by Wentworth County Health Unit.
2. No person shall alter drains which provide distribution, or absorption of sewage, or any outlet for sewage, without the knowledge and consent of a health inspector, nor shall anyone perform any act or make any change in the immediate vicinity which would interfere with the intended function of such a drain or cause a health hazard by reason of such work or change, in the opinion of the Medical Officer of Health, e.g. the installation of a swimming pool on or near a septic disposal bed, or the use of heavy machinery or truck, the planting of trees, or interference with surface drainage or evaporation over such a bed.
3. No person shall on his property accumulate, or allow the accumulation thereon of sewage, litter, junk, household appliance or furniture, lumber, garbage or any type of animal, vegetable or mineral matter including industrial waste, which may in the opinion of the Medical Officer of Health, be a hazard to health or which permits or encourages infestation by insects, birds, rodents, or other animals which could create a health nuisance.
4. In every reasonable way, particularly in built-up areas, owners of property must try to assure good surface drainage of their premises and must fill up any hole, pit, open well, cistern, pond or excavation, which an inspector considers a hazardous situation for humans, particularly children.
5. The owner of any property upon which sewage is ponding or in any way, surfacing, shall on reasonable notice by the Medical Officer of Health, take such corrective measures as the Medical Officer of Health may prescribe in order to remove such health hazard.

6. Every person who contravenes this By-law is liable to a fine of not more than \$500.00, exclusive of costs.
7. This By-Law shall take effect on the 5th day of February, A.D. 1968.

PASSED in council this 5th day of February A.D., 1968.

C. Switzer
.....
REEVE

D. Bell
.....
CLERK

THE CORPORATION OF THE TOWNSHIP OF BINBROOK

BY-LAW NO. 927

A BY-LAW for regulating and controlling the disposal of sewage.

WHEREAS Section 379, Subsections 69 and 72, of the Municipal Act, R.S.O. 1960 and Section 31, Subsection 21, chapter 296, of the Planning Act R.S.O. 1960 empowers the Council of a local municipality to pass such By-laws for the purposes specified herein,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BINBROOK ENACTS AS FOLLOWS:

1. (a) "sewer", includes treated and untreated human excrement, sludge, wash water, septic tank contents, or any type of industrial waste.
- (b) "contractor", shall mean any person who undertakes to dispose of sewage in any other manner than by an underground sewage disposal system and shall particularly mean any person regularly engaged in the business of pumping, cleaning, and examining, or in anyway altering private, public, or industrial sewage disposal system.
- (c) "watercourse", includes a river, stream, creek, or other natural watercourse, a ditch or drain or other artificial watercourse, and a pond or lake, including Lake Ontario.
- (d) "medical officer of health", means the Medical Officer of Health, or any Acting Medical Officer of Health of the Wentworth County Health Unit.
- (e) "inspector", means any Certified Public Health Inspector employed by Wentworth County Health Unit or any inspector employed by the Municipality.
2. No person shall dump or otherwise dispose of sewage in this Municipality, within 1200 feet of a dwelling except with the permission of the owner.
3. No contractor shall dump or dispose of sewage within this Municipality, except as provided in subsection (d) of this section:
 - (a) within 1200 feet of a dwelling, highway, or road.
 - (b) within 500 feet of a well.
 - (c) within 250 feet of a watercourse, or into a swale or depression where the slope of the land is such that sewage is likely to wash into a watercourse.
 - (d) into a storm sewer or storm drain or into any sewage disposal system unless the permission of the operator is first obtained.
 - (e) in any other place where sewage could create a hazard to health in the opinion of the Medical Officer of Health.

4. No contractor shall dump or otherwise dispose of sewage in this Municipality without a permit from the Wentworth County Health Unit and at the place and in the manner provided in the permit.
5. No person owning or occupying land in the Township of Binbrook shall permit sewage to be dumped or otherwise disposed of on any part of such land unless the person so doing has a permit to do so.
6. A permit to dump or otherwise dispose of sewage in the Township of Binbrook may be issued by the Wentworth County Health Unit without charge to any person who applies in writing for one if the proposed place is not contrary to this By-law.
7. A permit shall be valid only for one year from the date upon which it is issued.
8. A permit shall describe the place where sewage may be dumped or disposed of, and may be limited as to quantity, time, type of sewage, the time within which sewage is to be cultivated into the ground, the type of vehicle it is to be transported in, and the route to be taken.
9. A copy of every permit issued shall be sent forthwith by the Wentworth County Health Unit to the Clerk of this Municipality. The Wentworth County Health Unit shall report any breach of this By-law by a permit holder to the Council, and the Council may cancel the permit.
10. Every person who contravenes this By-law is liable to a fine of not more than \$500.00, exclusive of costs.
11. This By-law shall take effect on the 5th day of February, A.D. 1968.

PASSED in Council this 5th day of February, A.D. 1968.

..... C. Switzer

REEVE

..... D. Bell

CLERK

